

ORDINANCE NO 22-0009

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA FIRE CODE CERTAIN DELETIONS, ADDITIONS AND AMENDMENTS TO TITLE 3 MANHATTAN BEACH MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption of this Ordinance may have a significant effect on the environment. It is therefore exempt from review under the California Environmental Quality Act pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations (CEQA Guidelines).

SECTION 2. Chapter 3.16 of Title 3 of the Manhattan Beach Municipal Code is amended and restated in its entirety to read as follows:

Chapter 3.16 FIRE PREVENTION.

3.16.010 Adoption of the 2022 California Fire Code

Pursuant to the provisions of sections 50022.1 to 50022.10, inclusive, of the Government Code of the State and subject to the particular additions, deletions, amendments set forth in this chapter, the rules, regulations, provisions, standards, and conditions set forth in that certain Code known as the 2022 Edition of the California Fire Code published by the International Code Council and the California Building Standards Commission with errata, including Appendices B and C, and Sections 104.4, 104.6-104.6.4, 104.8-104.9, 104.11-104.12.3, 109-112.4.1, 303, 305-308.1.3, 308.1.5-311.4, 311.6, 318.1 and 321 of the 2021 International Fire Code published in the 2022 California Fire Code, two (2) full printed copies of which have been filed in the office of the City Clerk, and which are expressly incorporated herein and made a part hereof as fully and for all intents and purposes as though set forth herein at length, are hereby established and adopted by reference as the rules, regulations, provisions, standards, and conditions to be observed and followed, and which shall control within the City, for the safe guarding of life and property from the hazard of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and the same are collectively designated and may be known and referenced to as the "Fire Code" of the City of Manhattan Beach.

3.16.020 Fire Code Amendments

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Manhattan Beach, hereinafter to as "this code."

Section 103.1 is amended to read as follows:

103.1 Creation of Agency. The office of Manhattan Beach Fire Prevention (Community Risk Reduction) is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 104.1.1 is added to read as follows:

104.1.1 Fire prevention standards. The Manhattan Beach Fire Department Fire Prevention Standards, as approved by the fire code official, are incorporated herein to serve as instructions and interpretations of the Code. The Manhattan Beach Fire Department Fire Prevention Standards shall be updated and amended from time to time and available to the public.

Section 104.11.2 is added to read as follows:

104.11.2 Technical assistance. When there is a fire, explosion, hazardous materials incident or other potential life or serious property threatening situation, the fire code official can require the owner or operator to hire, at the expense of the owner or operator, a private fire protection consultant or hazardous materials investigator, acceptable to the fire code official, to provide a full report of the incident, including without limitation, such matters as origin, cause, circumstances or proposed solution to the problem.

Section 105.5.55 is added to read as follows:

105.5.55 Woodworking. An operational permit shall be required to operate a business which conducts woodworking, or operates as a cabinet shop or other similar purposes.

Section 105.5.56 is amended to read as follows:

105.5.56 Temporary sales lot. An operational permit is required to operate a temporary sales lot, including, but not limited to, Christmas tree lots and Pumpkin Patches.

Section 105.5.57 is amended to read as follows:

105.5.57 General Use. An operational permit is required when in the opinion of the fire code official a permit is necessary to ensure compliance or regulate an activity, use or process that is not covered by any other permit.

Section 107.2 is amended to read as follows:

107.2 Schedule of fees. The fire department is authorized to collect fees for fire inspections and other services, including plan review, fire inspections, new business inspections and false alarms. Fees shall be determined by the most current City Resolution of Fees.

Section 108.2.1 is amended to read as follows:

108.2.1 Inspection requests. It is 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 is required by this code. Every request for inspection must be filed not less than two business days before such inspection is desired.

Section 111.1 is amended to read as follows:

111.1 Board of appeals. Any decision of the fire code official relating to the interpretation of this code, or to the standards referred herein, shall be subject to appeal to the Board of Building Appeals, upon payment of the fee required for appeals to the Manhattan Beach Building Code Board of Appeals. Any decision of the Board of Appeals shall be subject to appeal to the City Council.

Section 112.4 is amended to read as follows:

112.4 Violation Penalties. Violations of this code are subject to penalties as provided in Chapter 1.04 of the Municipal Code in addition to all other legal remedies, criminal or civil, which may be pursued by the City.

Section 115 is added to read as follows:

115 Financial Responsibility. Any person who personally, or through another, willfully, negligently or in violation of law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her to escape from his or her control, allows any hazardous material to be handled, stored, disposed of, or transported in a manner not in accordance with this code, State law or nationally recognized standards, allows any hazardous material to escape from his or her control, or allows continued violation of this code is liable for the expense of fighting the fire or for the expenses incurred during a hazardous materials incident, and such expense will be a charge against that person.

Section 202 GENERAL DEFINITIONS is amended modify the following definitions to read as follows:

Fire Code Official. the Fire Chief of the Manhattan Beach Fire Department or a duly authorized representative.

High-Rise Building. Every building of any type of construction or occupancy having floors for human occupancy located more than 55 feet above the lowest level of fire vehicle access.

Section 503.1.1 is amended and restated in its entirety to read as follows:

503.1.1 Building and Facilities. Approved fire apparatus access roads must be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to or within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. The fire code official has the authority to designate fire apparatus access roads on private property.

Section 503.2.1 is amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads must 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 unobstructed vertical clearance of not less than 15 feet (4572 mm).

503.2.1.1 Access Roads with Vehicle Parking. No access roads can be less than 32 feet (9754 mm) in width if parallel parking of vehicles is permitted along one side of the access road and not less than 40 feet (12 192 mm) if parallel parking of vehicles is permitted along both sides of the access road. To permit the free passage of vehicles, access roads designated for vehicle parking on only one side must have signs or markings prohibiting the parking of vehicles on the traffic flow side of the roadway.

503.2.1.2 Access Roads with a Road Divider. An access road divided into separate adjacent one-way traffic lanes by a curbed divider or similar obstacle shall be a minimum of 15 feet (4572 mm) in unobstructed width on each side of the divider.

Section 503.2.4 is amended to read as follows:

503.2.4 Turning Radius. The turning radius of a fire apparatus access road must be a minimum of 50 feet outside and 30 feet inside.

Section 503.3 s amended to read as follows:

503.3 Markings. In accordance with California Vehicle Code the designation shall be indicated by (1) by a sign posted immediately adjacent to, and visible from, the designated place clearly stating in letters not less than one inch in height that the place is a fire lane (2) by outlining or painting the place in red and, in contrasting color, marking the place with the words "NO PARKING FIRE LANE," which is clearly visible from the vehicle, or (3) by a red curb or red paint on the edge of the roadway upon which clearly marked the words "NO PARKING FIRE LANE." The fire code official shall have the authority to designate fire apparatus access roads on private property.

Section 505.1 is amended to read as follows:

505.1 Address Identification. Approved address numbers and letters must be placed on all new and existing buildings and units in such a location as to be plainly visible and legible from the street or road fronting such buildings and units. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Numbers and letters must be at least four inches in height for residential, six inches for commercial, and 12 inches in height for industrial buildings and may not be located on doors or other areas that can be obstructed from view. Numbers and letters shall have a minimum stroke width of one-half inch (12.7 mm). The numbers and letters will be in a color that contrasts with their background and must be in the City's approved numbering sequence. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, sign or other means shall be used to identify the structure. Commercial and industrial buildings and units that are served by an alley must also have approved address numbers and letters posted in a visible location near the primary door to the alley.

505.1.1 Directory. For complexes and large buildings, a directory or premises map with approved addressing must be installed and maintained at a location and in format as approved by the fire code official.

Section 507.5.1 is amended to read as follows:

507.5.1 Public Fire hydrants. When required by the fire code official, there shall be one or more public fire hydrants installed at each street intersection in all developed areas of the city. The necessity for more than one hydrant located at each intersection on both sides of the street will depend upon required fire flows, street widths, center dividers or other physical barriers and existing or anticipated vehicular traffic volume. Fire hydrants shall be installed in locations approved by the fire code official.

1. In industrial, commercial, high density and multi-unit residential areas, hydrant spacing shall be approximately every 300 feet along public ways.
2. In areas where construction is limited to single family, duplex and triplex residential, hydrant spacing shall be approximately every 500 feet along public ways.
3. In all areas where the street width exceeds 80 feet, appropriately spaced fire hydrants shall be required on both sides of the street.

Section 507.5.1.1 remains unchanged.

Section 510.4.2.9 is added to read as follows:

510.4.2.9 Future Building Conduit. All new buildings shall be provided at least one dedicated conduit raceway for future installation of an Emergency Responder Radio Coverage System or for future expansion of the system. The conduit shall have a minimum diameter of 2 inches (25 mm) and be labeled for Emergency Responder Radio Coverage. The raceway shall meet pathway survivability requirements of NFPA 1221 and shall be installed from the lowest floor level to the roof.

Section 901.11 s added to read as follows:

901.11 Problematic Systems. In the event of a failure of a fire protection system or 2 or more alarms in a week, where the fire code official finds no evidence of a situation requiring an emergency response, the fire code official is authorized to require the building owner or occupant to provide a fire watch until the system is repaired. Fire watch personnel shall be provided with at least one approved means for notification of the Fire Department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. The fire code official shall determine the length of time the fire watch shall remain in effect.

Section 903.2 is amended to read as follows:

903.2 Where Required. An automatic sprinkler system shall be provided in buildings and structures in the following situations:

1. Residential.

- 1.1. In all new one- and two-family dwellings, garages and accessory structures.

Exception: Non-habitable accessory structures 500 square feet or less, not including garages.

- 1.2. In all new townhouses.

- 1.3. Throughout any existing building or townhouse where more than fifty percent of the existing floor area, including mezzanines, is added within three calendar years.

Exception: The automatic sprinkler system is not required to extend into adjacent townhouses that do not meet the criteria in Items 1.3 or 1.4.

- 1.4. Throughout any existing building or townhouse where more than a fifty percent of the walls or ceilings are exposed.

Exception: The automatic sprinkler system is not required to extend into adjacent townhouses that do not meet the criteria in Items 1.3 or 1.4.

- 1.5. In any new Accessory Dwelling Unit attached or detached, when the primary residence has an existing automatic sprinkler system.

Exception: An automatic sprinkler system is not required in accessory dwelling units that comply with all of the following:

1. The accessory dwelling unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code 65852.2.
2. The existing primary residence is not equipped with an automatic sprinkler system.
3. The accessory dwelling unit does not exceed 1,200 square feet (111 m²) in floor area.
4. The accessory dwelling unit is on the same lot as the primary residence.

2. Commercial.

- 2.1. In any new building, without regard to floor area or fire walls.

- 2.2. Throughout an existing building, whenever an additional story is added.
- 2.3. An addition or remodel causes the tenant space to exceed 2,000 square feet in gross floor area or exceeds two stories in height.
- 2.4. The building is 2,000 square feet or greater in gross floor area and a remodel or addition causes more than twenty-five percent of the walls or roof system to be structurally altered.
- 2.5. The building is 2,000 square feet or greater in gross floor area and the addition increases the existing floor area by more than fifty percent.

Sections 903.2.1 through 903.2.11.3 are hereby deleted.

Section 903.3.1.1.4 is added to read as follows:

903.3.1.1.4 Partial Fire Sprinkler Systems. Where this code or the Manhattan Beach Building Code require an automatic sprinkler system, the automatic sprinkler system shall be installed throughout the entire building.

Exceptions:

- 1. Where an automatic sprinkler system is installed solely to protect an attached garage in accordance with the exception to Item 2 in Section 1207.11.6.
- 2. The automatic sprinkler system is not required to extend to adjoining townhouses provided the townhouses comply with the exceptions to Section 903.2 Items 1.3 or 1.4.

Section 903.3.1.3.1 is added to read as follows:

903.3.1.3.1 Sprinkler installation criteria. Where one- and two-family dwellings, townhouses and Group R-3 occupancies are protected by an automatic sprinkler system, regardless of the sprinkler design standard, sprinklers shall be installed in the garage.

In one- and two-family dwellings, townhouses and Group R-3 occupancies, sprinklers shall be installed in any closet, attic or accessible space containing heating and/or air-conditioning equipment or water heaters, unless otherwise approved by the fire code official.

Section 903.3.9 Floor Control Valves, Item 2 is revised to read as follows:

- 2. Buildings that are two or more stories in height.

Section 903.4.2 is amended to read as follows:

903.4.2 Alarms. One exterior approved audible and visual notification device, located on the exterior or the building in an approved location, shall be connected to each automatic sprinkler system, regardless whether the sprinkler system is designed to NFPA 13, NFPA 13R, or NFPA 13D or the

California Residential Code. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. The exterior notification device shall be a horn/strobe type device.

Section 1205.2.1.1 is amended to read as follows:

1205.2.1.1 Pathways to ridge. Not fewer than two 36-inch-wide (914 mm) pathways on separate roof planes, from lowest roof edge to the ridge, shall be provided on all buildings. The width of each pathway shall be measured from a bearing wall to the edge of the photovoltaic array. Not fewer than one pathway shall be provided on the street or driveway side of the roof. For each roof plane with a photovoltaic array, not fewer than one 36-inch-wide (914 mm) pathway from lowest roof edge to ridge shall be provided on the same roof plane as the photovoltaic array, on an adjacent roof plane or straddling the same and adjacent roof planes. Pathways along a valley shall either straddle the valley with 18 inches (457 mm) on each side or provide 36 inch (914 mm) wide pathway on one slope.

Section 1205.2.1.2 is amended to read as follows:

1205.2.1.2 Setbacks at ridge. A setback of not less than 36 inches (914 mm) wide is required on both sides of a horizontal ridge. The setback from the ridge can be reduced to 18 inches (457 mm) where photovoltaic panels are installed on only one side of the ridge. The access pathway shall be capable of supporting the firefighters working on the roof.

Section 1205.2.1.3 Alternative Setbacks at Ridge is hereby deleted.

Section 1205.3.2 Interior Pathways is amended by the addition of Item 4 and Item 5 to read, respectively, as follows:

4. A pathway, located at the centerline of the photovoltaic array, shall be provided for the entire length of the photovoltaic array. The centerline pathway shall run along the structural support members nearest the centerline of the photovoltaic array.
5. Where there are two or more access pathways, the pathways shall be arranged so there are no dead-ends greater than 25 feet (7620 mm) in length. At no time shall any access pathway cause a person's travel distance to exceed 150 feet (45 720 mm) before arriving at another required access pathway.

Section 1207.4.1 is amended to read as follows:

1207.4.1 Electrical disconnects. Where buildings have multiple electrical power sources, the electrical disconnects for all systems to be within 10 feet (3048 mm) of main electrical service panel and within direct view from the main electrical panel.

Exception: The proximity of 10 feet (3048 mm) is not required where alterations occur in an existing building and the alteration affects less than 50 percent of the floor area, provided placards or directories are installed at the main electrical service panel.

Section 1207.11.6, Item 2 is amended to read as follows:

2. A listed heat alarm interconnected to the smoke alarms shall be installed in locations within dwelling units, sleeping units and attached garages where smoke alarms cannot be installed based on their listing.

Exception: A listed heat alarm is not required for ESS located in an attached garage provided the garage is protected with an automatic sprinkler system.

Section 3305.9 is amended to read as follows:

3305.9 Separations between construction areas. Fire retardant tarpaulins and sheeting must be used to separate construction areas from occupied building portions of the building and to provide floor or wall protection in occupied buildings. Separations used in buildings of Type I and Type II construction to separate construction areas from occupied portions of the building shall be constructed of materials that comply with one of the following:

1. Noncombustible materials.
2. Materials that exhibit a flame spread index not exceeding 25 when tested in accordance with ASTM E84 or UL 723.
3. Materials exhibiting a peak heat release rate not exceeding 300 kW/m² when tested in accordance with ASTM E1354 at an incident heat flux of 50 kW/m² in the horizontal orientation on specimens at the thickness intended for use.

Section 5601.1.3 is amended to read as follows:

5601.1.3 Fireworks. The manufacturing, possession, storage, sale, use, handling and discharge of fireworks, including those defined as “safe and sane” fireworks, is a misdemeanor.

Exceptions:

1. Storage of fireworks in accordance with the requirements for fireworks in Title 19, California Code of Regulations, Chapter 10.
2. Manufacture, assembly and testing of fireworks as allowed in Section 5605 and Health and Safety Code Division 11.
3. 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. Use and handling of fireworks for professional display in accordance with Title 19, California Code of Regulations, Chapter 6.

Section 5601.7 is amended to read as follows:

5601.7 Seizure of Fireworks. The fire code official, the police department and code enforcement officers have the authority to seize, take and

remove fireworks stored, sold, offered for sale, used or handled in violation of the provisions of this Code, and Title 19, California Code of Regulations, Chapter 6 and California Health and Safety Code, Chapter 9.

SECTION 3. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other ordinances of the City, to the extent that they are inconsistent with this ordinance, and no further, are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 5. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

SECTION 6. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on January 1, 2023.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2022.

Ayes:

Noes:

Abstain:

Absent:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk