



## Legislation Text

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**File #:** 19-0442, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Daryn Drum, Fire Chief  
James Muth, Fire Captain/Fire Marshal  
Walberto Martin, Senior Management Analyst

**SUBJECT:**

Conduct Public Hearing and Consider Adoption of an Ordinance Adopting by Reference the 2019 Edition of the California Fire Code and Certain Amendments, Deletions and Additions, and Amending Title 3 of the Manhattan Beach Municipal Code; Resolution Setting Forth Findings for Local Amendments (Fire Chief Drum).

- a) **ADOPT ORDINANCE NO. 19-0014**
- b) **ADOPT RESOLUTION NO. 19-0094**

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**RECOMMENDATION:**

Staff recommends that City Council adopt Ordinance No. 19-0014 adopting by reference, the 2019 California Fire Code, as amended, and adopt Resolution No. 19-0094 setting forth findings for local amendments.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action.

**BACKGROUND:**

Every three years, the State adopts new model codes, known collectively as the California Building Standards Code, to establish uniform standards for the construction and maintenance of buildings.

California Health and Safety Code Section 13143.5 allows the City by ordinance to change, make alterations, or modifications to the fire code that are more stringent than the requirements published in the California Building Standards Code relating to fire and public safety and the other associated regulations.

**DISCUSSION:**

The State of California has adopted the California Fire Code that must in turn be adopted or utilized by each city or county. Cities may establish more restrictive building standards reasonably necessary because of local climatic, geological, or topographical conditions. Findings of the local conditions and the adopted local building standards must be filed with the California Building Standards Commission. Manhattan Beach Municipal Code (MBMC) Section 3.16 contains local building

standards that must be repealed and reenacted with the 2019 California Fire Code.

Staff is proposing amendments consistent with the City's existing regulations, past practice, and consistency with surrounding communities. The majority of the proposed local amendments are being carried over from our current municipal code, along with some proposed modifications that will provide consistent language with surrounding cities' existing amendments. Staff recommends proposed language to address developing issues within the community. For example, photovoltaic (solar panel) systems and roof access pathways already exist in the fire code, but carry forward under a new chapter and code number.

The California Health and Safety Code Sections 17958, 17985.7, and 17958.5 provide for certain amendments to the California Building Standard Codes provided findings of necessity can be made.

Staff is proposing amendments to all codes consistent with the current Manhattan Beach Codes and past practice. Ordinance No. 19-0014 can be found at the following link:

<https://www.citymb.info/Home/ShowDocument?id=41061>. The most significant amendments are:

Delete the following Manhattan Beach amendments to the 2016 Fire Code, as the 2019 Fire Code adequately addresses these issues:

- 1. 104.10 Fire Investigations.** The Fire Department is authorized to promptly investigate the cause, origin and circumstances of each and every fire, explosion, unauthorized release of hazardous materials, or any other hazardous condition within the City. If it appears to the Bureau of Fire Prevention that such fire is suspicious in origin, it is authorized to take immediate charge of all physical evidence relating to the cause of fire and to pursue investigation to its conclusion.
- 2. 910.2 Where Required.** Where required by this Code or otherwise installed, smoke and heat vents or mechanical smoke exhaust systems and draft curtains must conform to the requirements of this section.

Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an approved automatic sprinkler system.
2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, smoke and heat venting must be provided by mechanical smoke exhaust systems in accordance with Section 910.4 within these areas.

Amend the 2019 Fire Code as follows:

- 1. 105.6.1. Additional Permits.** Section Nos. 4 and 5 of Additional Permits have been added to read as follows
  4. Battery systems. An operational permit to install or operate stationary storage battery systems having a liquid capacity of more than 50 gallons (189 L) for flooded lead acid, nickel cadmium (NiCad) and valve- regulated lead acid (VRLA), or 1,000

pounds (454 kg) for lithium-ion, used for facility standby power, emergency power or uninterruptible power supplies. See Section 608 for additional stationary storage battery system requirements.

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

## 2. Adopt section 503

3. **503.1.1 Buildings 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 within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the 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.
4. **1204.2.1.1 Pathways to Ridge.** Panels and modules installed on Group R-3 buildings with hip roof layouts shall be located in a manner that provides a minimum 3-foot-wide (968 mm) clear perimeter around the edges of the roof. The access pathway shall be capable of supporting the firefighters accessing the roof.
5. **1204.2.1.2 Setbacks at Ridge.** Panels and modules installed on Group R-3 buildings with single ridge roof layouts shall be located in a manner that provides a minimum 3-foot-wide (968 mm) clear perimeter around the edges of the roof. The access pathway shall be capable of supporting the firefighters accessing the roof.
6. **1204.2.1.2.1 Flat and Alternative Roofs.** Panels and modules shall be located in a manner that provides a minimum 3-foot-wide (968mm) clear perimeter around the edges of the roof. The panels and modules shall be installed in a way that Smoke Ventilation areas are created over common hallways and corridors or in an area approved by the Fire Code Official.
7. **1204.2.1.5 Allowance For Smoke Ventilation Operations.** Panels/modules installed on Group R-3 buildings shall be located not less than 1 foot from the ridgeline, and shall be located on only one side of any ridge to allow for smoke ventilation operations on the opposing side.

### EXCEPTIONS:

1. Where solar panels are located a minimum of 5 feet from the ridge on the opposing side
2. Where alternative means of allowance for smoke ventilation operations have been approved by the fire chief

To adopt the 2019 California Fire Code, the procedure is as follows: Introduce the ordinance, publish notification for two successive weeks, and conduct a public hearing and adopt the ordinance. The

Council can schedule the public hearing for November 19, 2019.

Once the adoption is completed, the findings of local condition(s) and the adopted local building standard(s) will be filed with the California Building Standards Commission.

### **ENVIRONMENTAL REVIEW**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that there is no possibility that the activity may have a significant effect on the environment; therefore, pursuant to Section 15061(b)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

### **LEGAL REVIEW**

The City Attorney has reviewed the ordinance and approved as to form.

### **ATTACHMENT:**

1. Resolution No. 19-0094