

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, REPEALING IN ITS ENTIRETY TITLE 15, CHAPTER 15.28, OF THE RIALTO MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA FIRE CODE, FEES AND PENALTIES, THE CALIFORNIA CODE OF REGULATIONS, TITLE 19 AND 24, AND OTHER RELATED CODES, WITH APPROPRIATE AMENDMENTS PER CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 17958, 17958.5 AND 17598.7 AS A NEW TITLE 15, CHAPTER 15.28 .

WHEREAS, Health and Safety Code Section 17958 and Government Code Section 50022 empower the city to adopt the California Fire Code, and other regulations adopted pursuant to Health and Safety Code Section 17922; and

WHEREAS, the City Council needs to amend provisions of the 2019 Edition of the California Fire Code pursuant to section 17958.7;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 15.28 of Title 15 of the Rialto Municipal Code is hereby amended to read in its entirety as follows:

Chapter 15.28

FIRE CODE*

Sections:

15.28.020	Definitions
15.28.030	Enforcement
15.28.040	Penalties
15.28.050	Fees
15.28.060	Validity
15.28.070	Administrative and General

1
2 **15.28.020 Definitions.**

- 3 A. Whenever the word “jurisdiction” is used in the California Fire Code, it shall be held to
4 mean the city of Rialto.
- 5 B. Wherever the term “corporation counsel” is used in the California Fire Code, it shall mean
6 the city attorney of the city of Rialto.
- 7 C. Whenever the word “chief” is used, it shall mean the fire chief of the city of Rialto.
- 8 D. Fire Code Official shall mean fire chief, chief, or authorized representative.
- 9

10 **15.28.030 Enforcement:**

11 Fire Code Official, Building Official, Code Enforcement Official, City Attorney or authorized
12 representative are authorized to enforce all provisions of this chapter and the referenced technical
13 codes and bulletins. The Fire Code Official shall be the final authority regarding any
14 enforcement action.

15

16 **15.28.040 Penalty.**

17 Persons who shall violate a provision of this code or shall fail to comply with any of the
18 requirements thereof or who shall erect, install, alter, repair or do work in violation of the
19 approved construction documents or directive of the fire code official, or of a permit or
20 certificate used under provisions of this code, shall be guilty of a Misdemeanor, punishable by a
21 fine of not more than \$1000.00 or by imprisonment not exceeding 180 days, or both such fine
22 and imprisonment. Each day that a violation continues after due notice has been served shall be
23 deemed a separate offense.

24

25 **15.28.050 Fees.**

26 Fee schedules for any permits, licenses, inspections, plan check or other related work or
27 services provided by the Fire Department in the application of this Title or Code adopted
28 hereby shall be as established by resolution of the City Council as the same may be amended

1 from time to time. Reasonable fees, not to exceed actual costs, may be collected by the Chief
2 for fire protection planning and fire prevention services included in the Code and in this
3 ordinance.

4
5 **15.28.060 Validity clause.**

6 If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to
7 be unconstitutional by a court of competent jurisdiction, such decision shall not affect the
8 validity of the remaining portions of this chapter. The City Council hereby declares that it
9 would have adopted this chapter, and each Section, subsection, sentence, clause and phrase
10 thereof, irrespective of the fact that any one or more other sections, subsections, sentences,
11 clauses or phrases be declared unconstitutional.

12
13 **15.28.070 Administrative and general**

14 **1. Chapter 1, Section 103.4 is deleted in its entirety and a new Section 103.4 is hereby added to**
15 **read as follows:**

16
17 103.4 Liability. The Chief, board of appeals, and other individuals charged by the Chief with
18 the control or extinguishment of any fire, the enforcement of this code or any other official
19 duties, acting in good faith and without malice in the discharge of their duties, shall not be
20 personally liable for any damage that may accrue to persons or property as a result of any act
21 or omission in the discharge of their duties. Any suit brought against the Chief or such
22 individual because of such act or omission in the discharge of their duties, or omission
23 performed in the enforcement of any provision shall be defended by this jurisdiction until the
24 conclusion of such proceedings, and any judgment resulting there from shall be assumed by
25 this jurisdiction subject to the provisions of Government Code Section 225.

26 This code shall not be construed to relieve from or lessen the responsibility of any person
27 owning, operating or controlling any building or structure for any damages to persons or
28 property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be

1 held as assuming any such liability by reason of the inspections authorized by this code or any
2 permits or certificates issued under this code.

3
4 **2. Chapter 1, Section 104.10 is hereby deleted in its entirety and a new Section 104.10 is hereby**
5 **added to read as follows:**

6
7 104.10 Investigations. The Fire Code Official, or other responsible authority is authorized to
8 investigate promptly the cause, origin and circumstances of each and every fire occurring in the
9 jurisdiction involving loss of life or injury to person, or destruction, or damage to property, and
10 if it appears to the Investigation Bureau that such fire is of suspicious origin, they are
11 authorized to take immediate charge of all physical evidence relating to the cause of the fire
12 and are authorized to pursue the investigation to its conclusion. Members of the Investigation
13 Bureau shall have the powers of a police officer in performing their duties under this code. The
14 Fire Chief is authorized to investigate the cause, origin and circumstances of unauthorized
15 releases of hazardous materials. The Police Department is authorized to assist the fire
16 department in its investigations when requested to do so. Information that could be related to
17 trade secrets or process shall not be made part of the public record except as directed by a court
18 of law.

19
20 **3. Section 104.11 is hereby amended to read as follows:**

21
22 104.11 Authority at fires and other emergencies. The fire chief or officer of the fire
23 department in charge at the scene of a fire or other emergency involving the protection of life
24 or property or any other emergency involving the protection life or property or any part
25 thereof, shall have the authority to direct such operations as necessary to extinguish or control
26 any fire, perform any rescue operations, investigate the existence of suspected or reported fires,
27 gas leaks, or other hazardous condition or situations, or take any other action necessary in the
28 reasonable performance of duty. In the exercise of such power, the fire chief is authorized to

1 prohibit any person, vehicle, vessel or thing from approaching the scene and is authorized to
2 remove, or cause to be removed or kept away from the scene, any vehicle, vessel or thing
3 which could impede or interfere with the operations of the fire department and, in the judgment
4 of the fire chief, any person not actually and usefully employed in the extinguishing of such
5 fire or in the preservation of property in the vicinity thereof.

6
7 Exceptions:

- 8 1. Residents and owners of private property within the hazardous fire area and their
9 invitees and guests going to or being upon their lands.
- 10 2. Entry, in the course of duty, by peace or police officers, and other duty authorized
11 public officers, members of a fire department and members of the United States
12 Forest Service.

13
14 **4. Chapter 1, Section 104.12.1 is hereby added to Section 104 and reads as follows:**

15
16 104.12.1 Cost Recovery. Fire suppression, investigation and rescue or emergency medical cost
17 are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1.

18
19 Any person who negligently or intentionally, or in violation of law, causes an emergency
20 response, including but not limited to, a traffic accident or spill of toxic or flammable fluids or
21 chemicals, is liable for the costs of securing such emergency, including those costs set out in
22 Health and Safety Code Section 13009 et seq. and Government Code Section 53150 et seq.
23 Any expense incurred by the fire department for securing such an emergency situation shall
24 constitute a debt of such person and shall be collectible by the public agency in the same
25 manner as in the case of an obligation under contract, expressed or implied.

26
27 **5. Chapter 1, Section 105.1.1 is hereby amended to read as follows:**

1 105.1.1 Permits required. Permits required by this code shall be obtained from the fire code
2 official. Permit fees, if any, shall be paid prior to the issuance of the permit. Issued permits
3 shall be kept on the premises designated therein at all times and shall be readily available for
4 inspection by the fire code official. The fire code official is authorized to stipulate conditions
5 for permits related to fire and life safety. Permits shall not be issued when public safety would
6 be at risk, as determined by the fire code official.

7
8 **6. Section 105.6.52 is hereby added to Section 105.6 to read as follows:**

9
10 105.6.52 Battery System. An operational permit is required for a stationary storage battery
11 system as regulated by section 1201 of the Fire Code.

12
13 **7. Section 105.6.53 is hereby added to Section 105.6 to read as follows:**

14
15 105.6.53 Pallet Yards. An operational permit is required to store, manufacture, refurbish or
16 otherwise handle more than 200 cubic ft of plastic or wood pallets on the exterior of any
17 building site, not including modular storage containers.

18
19 **8. Section 105.6.54 is hereby added to Section 105.6 to read as follows:**

20
21 105.6.54 Fixed Kitchen Hood and Duct Extinguishing System. An operational permit is
22 required to utilize commercial cooking appliances, as defined in Section 607, with a fixed hood
23 and duct fire extinguishing system.

24
25 **9. Section 105.6.55 is hereby added to Section 105.6 to read as follows:**

26
27 105.6.55 Electric vehicle charging station: An operational permit is required for the charging
28 station for electric carts or cars

1 **10. Section 105.6.56 is hereby added to Section 105.6 to read as follows:**

2
3 105.6.56 Bee keeping. Lighted and smoldering material shall not be used in connection with
4 smoking bees in or upon hazardous fire areas except by permit from the Chief.
5

6 **11. Chapter 1, Section 110.4 is hereby amended to read as follows:**

7
8 110.4 Violation penalties. Persons who violate a provision of this code or fail to comply with
9 any of the requirements thereof or who erect, install, alter, repair or do work in violation of the
10 approved construction document or directive of the fire code official, or of a permit or
11 certificate used under provisions of this code, shall be guilty of a Misdemeanor Offense,
12 punishable by a fine of not more than \$1000.00, or by imprisonment not exceeding 6 months,
13 or both such fine and imprisonment. Each day that a violation continues after due notice has
14 been served shall be deemed a separate offense.
15

16 **12. Chapter 1, Section 112.4 is hereby amended to read as follows:**

17
18 112.4 Failure to comply. Any person who continues any work after having been served with
19 a stop work order, except such work as that person is directed to perform to remove a violation
20 or unsafe condition, shall be liable to an administrative citation of \$1000.00 dollars per day per
21 violation. Payment is due 15 calendar days from the date of the citation. For each day beyond
22 the 15 days, other legal actions will result for non compliance.
23

24 **Title 15, Chapter 15.28, Section 070 Administrative and General is hereby amended to read as**
25 **follows.**
26

27 **13. Section 202 is hereby amended by adding the following definitions to read as follows:**
28

BED AND BREAKFAST: See Lodging House.

14. Section 202 is hereby amended by amending item 2 of the definition for High Rise Building to read as follows:

2. "High Rise structure" every building of any type of construction or occupancy having floors used for human occupancy located more than 55 feet above the lowest floor level having building access (see California Building Code, Section 403) (climatic)

15. Section 304.1.1 is hereby amended to read as follows:

Section 304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter or combustible or flammable waste or rubbish of any type shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier wharf, manufactured home, recreational vehicle or other similar structure.

Exception: Approved public and private dumping areas. (climatic)

16. Section 304.1.2 is hereby 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 in accordance with Chapter 49 of this code. The Chief may give notice to the owner of the property upon which such condition exists to correct such condition. The Chief may cause the same to be done and in accordance with public nuisance abatement procedures, and make the expense of such correction a lien upon the property upon which such condition exists.

(climatic)

1
2 **17. Section 304.4 is hereby added to Section 304 to read as follows:**

3
4 Section 304.4 Support Clearance. Persons owning, controlling, operating or maintaining
5 electrical transmission or distribution lines in an hazardous fire areas shall have an approved
6 program in place that identifies poles, or towers with equipment and hardware types that have a
7 history of becoming an ignition source, and provides a combustible free space consisting of a
8 clearing of not less than 10 feet (3048 mm) each direction from the outer circumference of
9 such tower during such periods of time as designated by the Chief.

10
11 Exception: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission
12 or other lines classed as communication circuits by a public utility. (climatic)

13
14 **18. Section 304.4.1 is hereby added to Section 304 to read as follows:**

15
16 304.4.1 General. Clearances between vegetation and electrical lines shall be in accordance
17 with Section 304.4.2. (climatic)

18
19 **19. Section 304.4.2 is hereby added to Section 304 to read as follows:**

20
21 Section 304.4.2. Trimming clearance. At the time of trimming, clearances not less than those
22 established by Table A-II-A-2 should be provided. The radial clearances shown below are
23 minimum clearances that should be established, at time of trimming, between the vegetation
24 and the energized conductors and associated live parts.

25
26 Exception: The Chief is authorized to establish minimum clearances different than those
27 specified in Table A-II-A-2 when evidence substantiating such other clearances is submitted to
28 the Chief and approved.

Table A-II-A-2

Minimum Clearances Between Vegetation and Electrical Lines at the Time of Trimming

Line Voltage	Minimum Radial Clearance from Conductor (feet) x 304.8 mm
2,400-72,000	4
72,001-110,000	6
110,001-300,000	10
300,001 or more	15

Table A-II-A-2

Minimum Clearances Between Vegetation and Electrical Lines to be Maintained

Line Voltage	Minimum Clearance (inches) x 25.4 mm
750-35,000	6
35,001-60,000	12
60,001-115,000	19
115,001-230,000	30 ½
230,001-500,000	115

During emergencies, the utility company shall perform the required work to the extent necessary to clear the hazard. An emergency can include situations such as trees falling into power lines, or trees in violation of Table A-II-A-2.

The Chief is authorized to give notice to the owner of the property on which conditions regulated by This Section exist to correct conditions. If the owner fails to correct such conditions, the Chief is authorized to cause the same, and make the expense of such correction a lien on the property where such condition exists. (climatic)

1
2 **20. Section 304.5.1 is hereby added to Section 304 to read as follows:**

3
4 Section 304.5.1 Clearance of brush or vegetative growth from structures. Persons owning,
5 leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining
6 hazardous fire areas, and persons owning, leasing or controlling land adjacent to such
7 buildings or structures, shall at all times maintain an effective firebreak fuel modification
8 area by removing, clearing or modifying away combustible vegetation and other flammable
9 materials from areas within 100 feet from such buildings or structures. (See exception 3 for
10 fire-resistive construction and other features for approval and/or a reduction of the fuel
11 modification area). The fuel modification area may be replanted with either approved
12 irrigated, fire resistant planting material or approved non-irrigated, drought-tolerant, fire-
13 resistant plant material. Replanting of the fuel modification area may be required for erosion
14 control. Fuel modification may be reduced if alternate methods of construction are used and
15 approved by the Chief. Distances specified may be increased by the Chief due to a site-
16 specific analysis based on local conditions and the Fire Protection Plan.

17 **Exceptions:**

- 18 1. Single specimens of trees, ornamental shrubbery or similar plants used as ground covers,
19 provided that they do not form a means of rapidly transmitting fire from the native
20 growth to any structure.
- 21 2. Grass and other vegetation located more than 40 feet from buildings or structures and less
22 than 18 inches (457 mm) in height above the ground need not be removed where
23 necessary to stabilize the soil and prevent erosion.
- 24 3. With the approval of the Chief, the width of the fuel modification area may be reduced
25 where fire-resistive structures or other features are constructed. However, in no case shall
26 the fuel modification area be reduced to less than 40 feet. This exception shall not be
27 construed to allow the Chief to require fire-resistive construction on existing structures
28 with a fuel modification area of less than 100 feet.

4. Remove portions of trees, which extend within 10 feet of the outlet of a chimney.
5. Maintain trees adjacent to, or overhanging a building free of deadwood.
6. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.
7. Any branch of a tree which extends to the ground shall be trimmed ten feet (10') above ground. (climatic)

21. Section 304.5.2 is hereby added to Section 304 to read as follows:

304.5.2 Corrective Actions. The Chief is authorized to give notice to the owner of the property upon which conditions regulated by this Section exist to correct such conditions. If the owner fails to correct such conditions, the Chief is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists. (climatic)

22. Section 304.6.1 is hereby added to Section 304 to read as follows:

304.6.1 Clearance at Existing Roadways. The area within 10 feet of each side of the improved width of highways and private roads shall comply with the requirements of a fuel modification area. The Chief is authorized to enter upon private property to insure the fuel modification area requirements are met.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire. (climatic)

23. Section 304.6.2 is hereby added to Section 304 to read as follows:

304.6.2 Clearance for New Roadways. The area on each side of the improved width of highways, private roads and driveways shall comply with the requirements of the fuel

modification area. The minimum dimensions of the fuel modification area shall be as required by Table 304.6.

Table 304.6

Improvement Width Feet 1	Fuel Modification Area Distance from Each Side of the Roadway 2
16 or less	20 feet
24	16 feet
28	12 feet
32	10 feet

Exceptions:

1. Upon approval by the Chief, the Roadway Fuel Modification areas may be reduced provided it does not impair access.
2. Single specimens of trees, ornamental shrubbery or cultivated around cover such as green grass, ivy succulents or similar plants used as ground covers, provided that they do not form a means of readily transmittance fire. (climatic)

24. Section 304.6.3 is hereby added to Section 304 to read as follows:

304.6.3 Corrective Actions. The Chief is authorized to give notice to the owner of the property upon which conditions regulated by this code exist to correct such conditions. If the owner fails to correct such conditions, the Chief is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

25. Section 304.7.1 is hereby added to Section 304 to read as follows:

1 304.7.1 Unusual Circumstances. If the Chief determines that difficult terrain, danger of
2 erosion or other unusual circumstances make strict compliance with the clearance of
3 vegetation provisions of Section 304 undesirable or impractical, enforcement thereof may be
4 suspended and reasonable alternative measures shall be provided.
5 (climatic)
6

7 **26. Section 307.2.1 is hereby amended to read as follows:**
8

9 307.2.1 Authorization. Where required by state or local law or regulations, open burning
10 shall only be permitted with prior approval from the state or local air and water quality
11 management authority, provided that all conditions specified in the authorization are
12 followed.
13

14 Exception: Outdoor fires within habited premises or designated campsites where such fires
15 are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill
16 and are a minimum of 30 feet (9144mm) from a grass, grain, brush, or forest-covered area.
17 Permits shall incorporate such terms and conditions, which will reasonably safeguard public
18 safety and property. Outdoor fires shall not be built, ignited or maintained in or upon
19 hazardous fire areas under the following conditions:

- 20 1. When high winds are blowing or,
- 21 2. When a person age 18 or over is not present at all times to watch and tend such fire, or
- 22 3. When public announcement is made that open burning is prohibited. Permanent
23 barbeques, portable barbecues, outdoor fireplaces or grills shall not be used for the
24 disposal of rubbish, trash or combustible waste material. (climatic)
25 4.

26 **27. Section 312.2 #1 is amended to read as follows:**
27

28 312.2

1. Constructed of steel not less than 6” (102 mm) in diameter and concrete filled.

28. Section 319.1 is amended to read as follows:

319.1 **General.** Mobile food preparation vehicles and trailers, that are equipped with appliances that produce grease laden vapors, shall comply with this section

29. Section 321 is hereby added to Chapter 3 to read as follows:

Section 321

FIRE HAZARDS AND DANGEROUS CONDITIONS

30. Section 321.1 is hereby added to Section 321 to read as follows:

321.1 Blocked exterior doors. Any blocked exterior doors shall have signage stating the door is not accessible entry to firefighters. Lettering shall be in accordance with 505.1 (climatic)

31. Section 321.2 is hereby added to Section 321 to read as follows:

321.2 Fire hazards and dangerous conditions, those buildings which constitute a specific fire hazard, or where other dangerous conditions are present, such as the storage or use of flammables/combustibles, the Fire Chief can order this to be abated or remedied.

32. Section 503.2.1 is hereby amended to read as follows:

1 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less
2 than 26 feet (7924 mm) and an unobstructed vertical clearance of not less than 14 feet, 6
3 inches (4115 mm). (topographic & geologic)
4

5 **33. Section 503.2.3 is hereby deleted in its entirety and a new Section 503.2.3 is added to read**
6 **as follows:**

7 503.2.3 Surface. An all-weather driving surface is an approved concrete or asphalt covering
8 of sufficient thickness to support the imposed loads of a fire apparatus. Where road grades do
9 not exceed 8%, the Chief may approve roads compacted of approved native materials or
10 gravel when compacted to 85%. Fire apparatus access roads shall be designed and
11 maintained to support the imposed loads of fire apparatus heaviest equipment and shall be
12 provided with a surface so as to provide all weather driving capabilities. Turf Bloc, Ritter
13 Rings, Turf Paver and other similar products shall not be used for fire department access
14 surfacing. (topographic & geologic)
15

16 **34. Section 503.2.7 is hereby amended to read as follows:**
17

18 503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits
19 established by the fire code official based on the fire department's heaviest apparatus. Road
20 grades shall not exceed 12% unless approved by the chief. (topographic)
21

22 **35. Section 503.4 is hereby amended to read as follows:**
23

24 503.4 Obstruction of fire access roads and fire breaks. Motorcycles, motor scooters and
25 motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire
26 roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign,
27 without the permission of the property owner. Vehicles shall not be parked in a manner,
28 which obstructs the entrance to a fire road or firebreak. 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. Any obstruction or impediment to reasonable access may be removed by any public safety agency with the expense of such removal to be borne by the owner of the roadway, or in the case of an obstructing vehicle or object, by the owner of said vehicle or object.

Exception: Public officers acting within their scope of duty.
(climatic & topographic)

36. Section 505.1 is hereby deleted in its entirety and a new Section 505.1 is added to read as follows:

505.1 Premises identification. Approved numbers or addresses shall be placed on all new and existing buildings, to include all, multiple unit residential, mobile home parks, and alley facing side of garages and carports in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. New dwelling addresses shall be posted with a minimum of four (4)-inch numbers, visible from the street, and during the hours of darkness, the numbers shall be internally illuminated. Posted numbers shall contrast with their background and be legible from the street. Where building setbacks exceeding 100 feet from the roadway, additional contrasting four (4)-inch numbers shall be displayed at the property entrance. Commercial and industrial developments of 50,000 sq. ft or less shall have the street address posted on the building with a minimum six (6) inch in height by three quarter (3/4) inch stroke numbers. All new and existing multi-family complexes with two or more buildings, shall post each building with a minimum of eight inch (8") numbers with a minimum one-half inch (1/2") stroke visible from the public way and driveways within the complex. Posted numbers shall contrast with their backgrounds. Multi-family building with individual addresses for each

unit shall post the lowest and highest address numbers separated by a dash. Individual units shall have the unit number or individual address posted on or immediately adjacent to the front door with a minimum four inch (4") number. Posted numbers shall contrast with their background and be readily visible from the walkway passing the unit.

Commercial and industrial developments in excess of 50,000 sq. ft. shall have the street address posted on the building with a minimum twelve (12) inches in height by one and one half (1 ½) inch stroke numbers and shall be visible from the street and in the hours of darkness shall be electrically illuminated. Where the building setback exceeds 200 feet from the roadway, additional non-illuminated contrasting six (6)-inch numbers shall be displayed at the property entrance. Commercial and industrial developments shall display the address/suite number or letter on their doors of each unit. Numbers or letters shall be a minimum of six (6) inches. Posted numbers shall contrast with their background. (climatic & topographic)

37. Section 507.2 is hereby amended to read as follows:

507.2 Type of water supply. Water supply is allowed to consist of elevated reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow. In setting the requirements for fire flow, the Chief shall be guided by Appendix B. In areas without service water companies, National Fire Protection Association Pamphlet 1142 shall be used to establish on-site storage capacities, with a minimum storage capacity of 5,000 gallons, or buildings in excess of 500 square feet may be provided with an approved NFPA 13, 13D or 13R sprinkler system. Site water storage for occupancies other than Group R Division 3 (single-family) may be reduced to an approved 30 minute sprinkler demand. For Group R, Division 3 occupancies the sprinkler demand may be reduced to a 10 minute demand. These flows and duration do not consider the needs required to provide domestic water. All sprinkler systems shall be suitably freeze-protected for climatic conditions. (climatic & topographic)

38. Section 507.2.2.3 is hereby added to read as follows:

507.2.2.3 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24. A continuous, minimum 12 gage, non-insulated locator wire shall be taped to the top side of all underground fire system main service pipe.

39. Section 507.5.1 is hereby amended to read as follows:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (46m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

For Group R-3 and Group U occupancies, the distance requirements shall be 150 feet (46 m). For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirements shall be 150 feet (46 m). (climatic & topographic)

40. Section 509.3 is hereby added to Section 509 to read as follows:

509.3 Main control rooms. When automatic fire sprinkler systems or fire alarm systems are installed in buildings constructed for multiple tenants and the systems protect multiple tenant spaces, the main controls and control appurtenances, such as risers, fire alarm control panels, and valves for such systems shall be located in an attached or interior room, or an approved weather resistant enclosure with at least one exterior access door or not less than 3'-0" by 6'-8". (climatic)

1
2 **41. Section 903.1.2 is hereby added to Section 903 to read as follows:**

3
4 903.1.2 Additions, remodels, alterations or relocations. In every building or structure,
5 hereafter constructed, erected or moved onto a property which exceeds a total floor area of
6 five-thousand (5,000) square feet, regardless of separation walls as outlined in Chapter 5 of
7 the California Building Code, and in any structure hereafter remodeled, rebuilt or renovated
8 where such area increase causes such structure to exceed a total floor area of five-thousand
9 (5,000) square feet, regardless of fire walls as outlined in Chapter 5 of the California
10 Building Code. (climatic)

11
12 **42. Section 903.1.3 is hereby added to Section 903 to read as follows:**

13
14 903.1.3 Group R, Division 1 Additions, remodels, alterations or relocations. An automatic
15 sprinkler system shall be installed in all Group R, Division 1 occupancies hereafter
16 constructed, erected or moved onto a property, regardless of fire walls as outlined in Chapter
17 5 of the California Building Code, and in all Group R, Division 1 occupancies hereafter
18 remodeled, rebuilt or renovated where such area increase exceeds fifty percent (50%) of the
19 original square footage as determined by the San Bernardino County Tax Assessor.
20 Automatic sprinkler system installations shall be in accordance with NFPA Standard No. 13.
21 (Exception: Group R, Division 1 occupancies, less than three (3) stories may have such
22 systems installed in accordance with NFPA Standard No. 13R. (climatic)

23
24
25 **43. Section 903.2 is hereby amended to read as follows:**

26
27 903.2 Where required. Approved automatic sprinkler systems in new buildings and
28 structures shall be provided in the locations described in this section. Unless required to be

provided with an automatic fire sprinkler system at less than 5,000 square feet by other sections of this code all new buildings with a total floor area of 5,000 square feet or greater shall be provide with an automatic fire sprinkler system. Fire walls or barriers shall not be used for the purpose of creating separate fire areas or separate buildings of less than 5,000 square feet.

Areas of existing structures in excess of 5,000, square feet, or any group R, which are hereafter remodeled, reconstructed, relocated or renovated, or where additions exceed fifty percent (50%) of the original square footage, or where the additions plus the original building square footage exceeds 5,000 square feet shall have an approved automatic fire sprinkler system installed throughout the building. For purposes of determining compliance with this section all projects for which a construction permit is issued within 24 months of the issuance date of the first permit shall be considered one project and will require compliance with the automatic sprinkler system installation. (climatic)

44. Section 903.2.1.1, item 1 is hereby amended to read as follows:

1. The fire area exceeds 5,000 square feet (465 m²). (climatic)

45. Section 903.2.1.3, item 1 is hereby amended to read as follows:

1. The fire area exceeds 5,000 square feet 465 m²). (climatic)

46. Section 903.2.1.4, item 1 is hereby amended to read as follows:

1. The fire area exceeds 5,000 square feet (465 m²). (climatic)

47. Section 903.2.3, item 1 is hereby amended to read as follows:

- 1
- 2 1. Throughout all Group E areas greater than 5,000 square feet (465 m²) in area. (climatic)
- 3

4 **48. Section 903.2.4, items 1 and 3 are hereby amended to read as follows:**

5

- 6 1. Where a Group F-1 fire area exceeds 5,000 square feet
- 7 (465 m²).
- 8 3. Where the combined area of all Group F-1 fire areas on all floors, including any
- 9 mezzanines, exceeds 5,000 square feet (465 m²). (climatic)
- 10

11 **49. Section 903.2.7, items 1 and 3 are hereby amended to read as follows:**

12

- 13 1. Where a Group M fire area exceeds 5,000 square feet
- 14 (465 m²).
- 15 3. Where the combined area of all Group M fire areas on all floors, including any
- 16 mezzanines, exceeds 5,000 square feet (465 m²). (climatic)
- 17

18 **50. Section 903.2.8 is hereby amended to read as follows:**

19

- 20 1. 903.2.8 Group R. An automatic sprinkler system installed in accordance with Section
- 21 903.3 shall be provided throughout all buildings with a Group R-3 including attached
- 22 garages.
- 23

24 **51. Section 903.2.9, items 1 and 3 are hereby amended to read as follows:**

25

- 26 1. Where a Group S-1 fire area exceeds 5,000 square feet (465 m²).
- 27 3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines,
- 28 exceeds 5,000 square feet (465 m²). (climatic)

52. Section 903.2.8.1, exceptions 1 and 2 are hereby amended to read as follows:

1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding 5,000 square feet (465 m²).
2. One-story buildings with a fire area containing a repair garage exceeding 5,000 square feet (465 m²). (climatic)

53. Section 903.3 is amended to read as follows:

903.3 Where required. Fire protection systems required by this code or the California Building Code shall be installed, repaired, operated, tested, and maintained in accordance with this code. The Chief is authorized to designate the type and number of fire appliances to be installed and maintained in and on all buildings and premises in the jurisdiction. This designation shall be based on the relative severity of probable fire, including the rapidity with which it could spread. Such appliances shall be of a type suitable for the probable class of fire associated with such building or premises and shall have the approval of the Chief. (climatic)

54. Section 903.3.7 is hereby amended to read as follows:

903.3.7 Fire department connection. The location of the fire department connections shall be approved by the fire code official. All fire department connections must be four inches (4").

55. Section 903.4, exception 3 is hereby deleted in its entirety.

56. Section 905.4, exception 7 is hereby added to read as follows:

1 905.4 Exception #7. When required by other provisions of this code, 2.5 inch valved hose
2 connection, meeting the requirements of this section, shall be located at every other exterior
3 fire department access door as defined by section 2306.6.1 of this code, and arranged so that
4 every portion of the building and its contents can be reached with 150 feet of hose and
5 stream. Doors must be accessible without the use of a ladder. (climate)
6
7

8 **57. Section 907.5.2.6 is hereby added to Section 907 to read as follows:**
9

10 907.5.2.6 Special Alarm requirement. A horn strobe unit shall be provided at every exterior
11 personnel-door adjacent to a fire sprinkler riser in a multi- riser building. (climatic)
12

13 **58. Section 910.4.1.1 is hereby added to read as follows:**
14

15 910.4.1.1 Sprinklered buildings. Where installed in buildings equipped with an approved
16 automatic sprinkler system, smoke and heat vents shall be designed to operate automatically
17 or manually as required by the AHJ.
18

19 **59. Section 3004.1.1 is hereby added to Section 3004.1 to read as follows:**
20

21 3004.1.1 Storage limitations. The aggregate capacity of any one installation for the bulk
22 storage of compressed natural gases is prohibited in heavily populated or congested
23 commercial, residential areas and shall not exceed 183,000 cubic feet (one hundred eighty-
24 three thousand cubic feet) when in the opinion of the chief, the location of bulk storage of
25 compressed natural gases would create an unacceptable threat to the occupants and property
26 owners. (climatic)
27

28 **60. Section 3004.3 is hereby added to section 3004 to read as follows:**

1 3004.3 Restricted storage areas. The aggregate capacity of any one installation for the bulk
2 storage of compressed natural gases is prohibited in heavily populated or congested
3 commercial or residential areas and shall not exceed the amounts specified by the chief.
4 (climatic)

5
6 **61. Section 3301.1.1 is hereby added to Section 3301.1 to read as follows:**

7
8 3301.1.1 Explosives material standard. In addition to the requirements of this chapter, NFPA
9 495 and Title 19 CCR, Chapter 10 shall govern the manufacture, transportations, storage,
10 sale, handling and use of explosive materials.

11
12 **62. Section 3301.1.2 is hereby added to Section 3301.1 to read as follows:**

13
14 3301.1.2 Storage. The Chief may authorize the storage of smokeless powder not to exceed
15 100 pounds, sporting black powder not to exceed 25 pounds, and up to 750,000 small arms
16 primers in approved portable magazines in approved establishments. Sporting black powder,
17 when authorized, shall be stored in an approved portable magazine. Small arms primers of
18 percussion caps shall be stored in a manner prescribed by the Chief. (climatic)

19
20 **63. Section 3301.1.3 is hereby added to Section 3301.1 to read as follows:**

21
22 3301.1.3 Display. The maximum quantities, storage conditions, and Fire protection
23 requirements for gunpowder and ammunition displayed in a building shall be as follows:
24 Smokeless powder - 20 pounds in original containers. Containers shall not exceed one pound.
25 Black powder - One pound in original one pound container.
26 Small arms primers or percussion caps - 10,000 in a non-sprinklered building and 25,000 in
27 sprinklered building. (climatic)

1 **64. Section 3301.1.4 is hereby added to Section 3301.1 to read as follows:**

2
3 3301.1.4 Magazine requirements. Indoor magazines shall not be of a size greater than the
4 exit door or contain more than 50 pounds (23kg) of explosive materials.

5 Exception: Day boxes used for the storage of in-process material.
6

7 Magazines shall be classified as Type 1, 2, 3, 4, or 5. Magazines shall be constructed and
8 used in accordance with Title 27, code of Federal Regulations, Part 55, Subpart K, and Title
9 19, Uniform Code of Regulations, Subchapter 6, Section 989, as amended. (climatic)
10

11 **65. Section 3301.1.5 is hereby added to Section 3301.1 to read as follows:**

12
13 3301.1.5 Personnel Qualifications. The handling and firing of explosives shall be performed
14 only by persons possessing a valid explosives permit issued by the San Bernardino County
15 Sheriff's Department.
16

17 **66. Section 3301.2 is hereby added to Section 3301 to read as follows:**

18 3301.2 Permits. Explosives shall not be possessed, kept, stored, sold, offered for sale, given
19 away, used, discharged, transported or disposed of within hazardous fire areas except by
20 permit from the Chief.
21

22 **67. Section 3301.3 is hereby added to Section 3301 to read as follows:**

23
24 3301.3 Utility Notification. When blasting is being conducted in the vicinity of gas, electric,
25 water, fire alarm, telephone, telegraph or stream utilities, the blaster shall notify the
26 appropriate representative of such utilities at least 24 hours in advance of blasting, specifying
27 the location and the intended time of such blasting.
28

1 Exception: In an emergency, advance notification may be waived by the Chief and Sheriff's
2 Department. The Fire Department shall be notified prior to detonation of any explosives.
3
4

5 **68. Section 3302.1 is hereby added to Section 3302 to read as follows:**
6

7 3302.1 Storage of explosives and blasting agents. The storage of explosives and blasting
8 agents is prohibited in principal business districts, closely built commercial areas and heavily
9 populated areas except as permitted by the chief. The storage and handling of ammonium
10 nitrate shall comply with the requirements of NFPA 490, Chapter 40, and Title 19 CCR,
11 Chapter 10.

12 Exception: Storage of ammonium nitrate in magazines with blasting agents shall comply with
13 the requirements of NFPA 495 and Title 19 CCR, Chapter 10. (climatic)
14
15

16 **69. Section 4902.1 is hereby amended by adding definitions to read as follows:**
17

18 COMBUSTIBLE VEGETATION is material that in its natural state will readily ignite, burn
19 and transmit fire from the vegetative growth to any structure. This includes around fuels,
20 which are any native or landscape vegetation not considered a tree and generally in contact
21 with the ground.

22 DEFENSIBLE SPACE is an area either natural or man-made, where material capable of
23 allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and
24 intensity of advancing wildfire. This will create an area for increased safety for emergency
25 fire equipment and evacuating or sheltering civilians in place and a point for fire suppression
26 to occur.

27 DISCRETIONARY PROJECT is a project, which requires the exercise of judgment or
28 deliberation when the public agency or body decides to approve or disapprove a particular

1 activity, as distinguished from situations where the public agency or body merely has to
2 determine whether there has been conformity with applicable statutes, ordinances, or
3 regulations.

4 FUEL MODIFICATION AREA A wide strip of land where combustible vegetation has been
5 removed or modified or both and partially or totally replaced with approved drought-tolerant,
6 fire-resistant, and/or irrigated plants to provide an acceptable level of risk from vegetation
7 fires. Fuel modification reduces radiant and convective heat, thereby reducing the amount of
8 heat exposure on the roadway or structure and providing fire suppression forces a safer area
9 in which to take action.

10 HAZARDOUS FIRE AREA is any geographic area as set forth by the Chief that contains the
11 type and condition of vegetation, topography weather, and structure density to potentially
12 increase the possibility of vegetation conflagration fires shall be considered a hazardous fire
13 area.

14 IGNITION SOURCE is any item or substance capable of energy release of a type and
15 magnitude sufficient to ignite any flammable materials that could occur in or outside of a
16 structure. Examples of ignition source are storage or use of flammable gases and flammable
17 liquids, or permanent or temporary electrical wiring and open flame devices.

18 PLANNING AUTHORITY-HAVING JURISDICTION (PAHJ) The identified authority
19 regulating and enforcing planning and/or construction standards.

20 STRUCTURE means a residence and attached garage, building or related facility that is
21 designed primarily for human habitation or buildings designed specifically to house farm
22 animals. Decking, fences, and similar facilities are not considered structures for the purposes
23 of establishing the limits of the fuel modification area. Sheds, gazebos, and detached garages
24 less than 250 square feet which are located within the fuel modification area shall be
25 designed, constructed and placed such that they do not require the fuel modification area to
26 be increased beyond that required for the primary structures on the property.

27 VEGETATION CONFLAGRATION is an uncontrolled fire spreading through vegetative
28 fuels and exposing and consuming structures in the advancing path of fire.

1 URBAN/WILDLAND INTERFACE area is land in an area designated as a hazardous fire
2 area as determined by the Chief.

3 TRESPASS is the entering and remaining within areas closed and posted. (climatic)
4

5 **70. Section 4904.3 is hereby added to Section 4904 to read as follows:**
6

7 4904.3 Area closure. When the Chief determines that a specific area within a fire hazard
8 severity zone presents an exceptional and continuing fire danger because of the density of
9 natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such
10 areas shall be closed until changed conditions warrant termination of closure. Such areas
11 shall be posted with approved signs prohibiting entry by unauthorized persons and shall be
12 placed on every closed area. Anyone entering and remaining within areas that have been
13 closed and posted are in violation of trespass restrictions.
14

15 Exception: Owners and occupiers of private or public property within closed and
16 posted areas, their guests or invitees, and local, state and federal public officers and their
17 authorized agents acting in the course of duty. (climatic)
18

19 **71. Section 4904.4 is hereby added to section 4904 to read as follows:**
20

21 4904.4 Gates and Barriers. The Chief may require gates, cables, or other barriers and locks
22 to be placed across roadways leading into closed hazardous fire areas. When such devices are
23 required, the property owner shall be responsible for such installation and maintenance.
24 (climatic)
25
26

27 **72. Section 5003.2.4.1.1 is hereby added to read as follows:**
28

1 5003.2.4.1.1 Underground tanks. Underground storage of flammable and combustible
2 liquids in tanks shall comply with Section 5003.2.4.1 through 5003.2.4.2.1 and the Fire Chief
3 designee. (climatic & geologic)
4

5 **73. Section 5704.1 is hereby amended to read as follows:**
6

7 5704.1 General. The storage of flammable and combustible liquids in containers and tanks
8 shall be in accordance with this section and the applicable sections of Chapter 50 and this
9 chapter. The storage of flammable and combustible liquids in outside aboveground
10 unprotected tanks and below grade vaulted tanks are prohibited in all commercial occupancy
11 areas, developed residential areas and other areas where the Fire Chief having jurisdiction
12 determines that the installation of flammable and combustible aboveground storage tanks or
13 below grade vaulted tanks will create a hazard to occupants and property owners in the area.
14 Deviation from these requirements may be allowed only upon specific written findings by the
15 chief that such deviation will not be potentially injurious to the public health, safety and
16 welfare due to the mitigation measures incorporated with the approval. (climatic)
17

18 **74. Section 6104.2 is hereby amended to read as follows:**
19

20 6104.2 Maximum capacity within established limits. Within the limits established by law,
21 restricting the storage of liquefied petroleum gas for the protection of heavily populated or
22 congested areas, the aggregate capacity of any one installation shall not exceed a water
23 capacity of 2,000 gallon (7570 L) or the capacity of proposed tanks, the degree of private fire
24 protection to be provided and the facilities capabilities of the local fire department.
25

26 Exception: In particular installations, this capacity limit shall be determined by the fire code
27 official, after consideration of special features such as topographical conditions, nature of
28 occupancy, and proximity to buildings, capacity of proposed containers, degree of fire

1 protection to be provided and capabilities of the local fire department. The storage of
2 liquefied petroleum gas shall conform to the provisions of the local zoning ordinances.
3 (climatic & geologic)
4

5 **75. Section 6104.3 is hereby amended to read as follows:**
6

7 6104.3 Container Location. LP- gas containers shall be located with respect to buildings,
8 public ways and lot lines of adjoining property, which can be built on, in accordance with
9 Table 6104.3.
10

11 Exception: With the approval of the Chief, containers may be located a lesser distance to
12 buildings having not less than one hour fire-resistive construction in accordance with the
13 Building Code, provided the distances applied to openings in buildings are maintained and
14 the relief valves will not discharge in the direction of a means of egress or against the
15 building. Containers shall also be located with respect to special hazards such as above
16 ground flammable or combustible liquid tanks, oxygen or gaseous hydrogen containers,
17 flooding or electric power lines as specified Chapter 27. (climatic & geologic)
18
19

20 **76. Appendix Chapter B, Section B105.2, Exception is hereby amended to read as follows:**
21

22 Exception: A reduction in required fire flow of up to 50 percent, as approved by the Chief, is
23 allowed when the building is provided with an approved automatic sprinkler system installed
24 in accordance with Section 903.3.1.1 or 903.3.1.2 The resulting fire-flow shall not be less
25 than 1500 gallons per minute (5678 L/min.) for the prescribed duration as specified in Table
26 B105.1. (climatic)
27
28

1 **77. Appendix, Chapter D, Section D102.1.1 is hereby added to Section D102.1 to read as**
2 **follows:**

3
4 D102.1.1 Roadways on projects with prior approvals. When fire apparatus access to a new
5 discretionary project is over a roadway, which has previously been described in a subdivision
6 map, parcel map, improvement plan or other similar document, the following minimum road
7 widths shall apply:

- 8 1. If the roadway serves one or more single-family dwelling, the roadway shall be a
9 minimum of 26 feet (8 m) in width.
10 2. If the existing road easement is 20 feet (6 m) or less in width the roadway easement width
11 shall be increased to 26 feet (8 m) minimum.

12 (topographic & geologic)
13

14 **78. Appendix Chapter D, Figure D103.1 is hereby amended to read as follows:**

15
16 Figure D103.1 120' HAMMERHEAD and 60' "Y". The dimension for each leg of the 120'
17 HAMMERHEAD and 60' "Y" shall be 70'. (topographic & geologic)
18

19 **79. Appendix Chapter D, Section 103.5 item 1 is hereby amended to read as follows:**

- 20
21 1. The minimum gate width shall be 26 feet (7925 mm.). (topographic)
22

23 **80. Appendix Chapter D, Section D105.4 is hereby amended read as follows:**

24
25 D105.4 Obstructions. Trees, signs, poles and similar obstructions shall not be placed near
26 buildings so as to interfere with the operation of an aerial device on an aerial fire apparatus.
27 (topographic & geologic)
28

1 **81. Appendix Chapter D, Section D107.1 is hereby amended to read as follows:**

2
3 D107.1 One- or two-family dwelling residential developments. Developments of one-or
4 two-family dwellings where the number of dwelling units exceeds 25 shall be provided with
5 separate and approved fire access roads and shall meet the requirements of section D104.3.

6 When the number of units exceeds 25, access roads shall be provided as follows:

7 25 to 50 units - 2 access points

8 51 to 100 units - 3 access points

9 101 to 175 units - 4 access points

10 176 to 275 units - 5 access points

11 276 to 375 units - 6 access points

12
13 **SECTION 2 – SEVERABILITY AND VALIDITY.**

14 If any section, subsection, paragraph or sentence of this Ordinance, or any part thereof, is for
15 any reason found to be unconstitutional, invalid or beyond the authority of the City of Rialto by a
16 court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
17 remaining portions of this Ordinance.

18
19 **SECTION 3 – CERTIFICATION**

20 The City Clerk shall certify to the adoption of this ordinance and cause the same to be
21 published once in the local paper and the same shall be in force and effect on and thirty (30) days
22 after its passage and adoption.

23 PASSED, APPROVED AND ADOPTED this _____ day of _____, 2019

24
25 _____
26 Deborah Robertson, Mayor
27
28

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ATTEST:

BARBARA A. McGEE, City Clerk

APPROVED AS TO FORM:

, City Attorney

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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)ss
CITY OF RIALTO)

I, Barbara A. McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Ordinance No. _____ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the _____ day of _____, 2019.

Upon motion of Councilmember _____, seconded by Councilmember _____, the foregoing Ordinance No. _____ was duly passed and adopted.

Vote on the Motion:

AYES:

NOES:

ABSTAIN:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto, this _____ day of _____, 2019.

BARBARA A. McGEE, CITY CLERK