

**CITY OF LARKSPUR  
ORDINANCE 1042**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LARKSPUR  
AMENDING SECTIONS OF TITLE 14 (FIRE PREVENTION) OF THE LARKSPUR  
MUNICIPAL CODE BY REPEALING AND RE-ENACTING CHAPTER 14.04, ADOPTING BY  
REFERENCE AND AMENDING PROVISIONS OF THE 2019 CALIFORNIA FIRE CODE, THE  
2018 INTERNATIONAL FIRE CODE, AND APPENDIX A OF THE 2018 INTERNATIONAL  
WILDLAND-URBAN INTERFACE CODE WITH AMENDMENTS SUPPORTED BY LOCAL  
FINDINGS, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO  
LIFE AND PROPERTY FROM FIRE OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF  
PERMITS FOR HAZARDOUS USES OR OPERATIONS; AND DEFINING THE POWERS AND  
DUTIES OF THE CENTRAL MARIN FIRE AUTHORITY AND OFFICERS.**

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**WHEREAS**, Title 14 of the Larkspur Municipal Code (“LMC”) currently contains the City’s fire prevention standards (“Fire Code”) and adopts by reference the 2016 California Fire Code, which incorporates the International Fire Code (“CFC”); and

**WHEREAS**, the 2019 California Building Standards Code, including Part 9, 2019 California Fire Code, has been amended and adopted by the California Building Standards Commission; and

**WHEREAS**, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 establish the authority for a city to adopt and make local amendments and modifications to the building standards in the California Building Standards Code to establish more restrictive building standards than those contained in the California Building Standards Code; and

**WHEREAS**, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 permit a city to make such local amendments and modifications as the city determines are reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS**, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 require a city, before making any amendments and modifications to the California Building Standards Code, make an express finding that such amendments and modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS**, Government Code Section 50022.2 permits enactment of city ordinances that adopt codes or statutes, including codes of the State of California, by reference; and

**WHEREAS**, notice of the Ordinance was published in accordance with Government Code Sections 50022.3 and 6066; and that such notice was sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

**WHEREAS**, pursuant to California Health and Safety Code sections 18941.5 and 17958, the City Council of the City of Larkspur hereby finds that all of the amendments adopted herein are reasonably necessary because of the City’s unique local climatic, geologic and topographic conditions:

**1. CLIMATIC.**

- a. The weather patterns within the City of Larkspur is considered to be moderately affected by the Pacific Ocean and the San Francisco Bay, which extends the year-round growing season of vegetation. The normal year's rainfall is approximately 28 inches, while the summer condition, with its prevalent Pacific high cell, creates the morning and late afternoon fog normally associated with the San Francisco Bay.
- b. While normal temperatures usually do not exceed 75-80 degrees during the summer months, little or no rain falls during the period between April and November. This combination often creates hazardous fuel conditions in the town. Drying winds in the summer and fall months reduce fuel moisture and relative humidity to the minimum levels, thereby creating ideal fire weather conditions. The normal afternoon winds that precede the fog can move a fire quickly in the hillside and open space areas of the town.
- c. Because of climatic conditions, the County of Marin has experienced water rationing in recent years, including a mandatory 35 percent reduction in 1989 and 20% in 2015. Water shortages can be expected in future years due to limited storage capacities in Marin, increased domestic consumption and weather patterns that reduce the already minimal annual rainfall. While sound management of the water resources is possible, actual demands on an already stressed water supply can most assuredly be predicted.

## 2. GEOLOGIC.

- a. The City of Larkspur is geologically mixed with three classifications of rock: igneous, metamorphic and sedimentary. The outstanding material is volcanic in origin with ridges of serpentine reaching in excess of 700 feet in elevation.
- b. Much of the City is characterized by precipitous hilly areas where escape opportunities from residential structures are limited to one side of the home only. The steepness and uneven nature of the land often hinders, and sometimes prevents, the erecting of rescue ladders at the side of a home on a hillside parcel.
- c. Seismic activity within the town occurs yearly with little or no damage, although a real potential does exist with the town situated between two active faults: the San Andreas and Hayward faults.
- d. Landslides have also been experienced in the town in recent years. While stabilization of hillsides can sometimes be achieved, heavy rainfalls have caused failures. These slides can close roadways, making accessibility to many locations in the town impossible until properly cleared.

## 3. TOPOGRAPHIC.

- a. The City of Larkspur is accessible from the outside by one primary thoroughfare on the east side and three on the west side. Speed limits of 25 miles per hour, by virtue of the narrow and twisting configuration of the roads, do not allow quick responses to emergencies. The Highway 101 corridor goes directly through the town and an overpass that may or may not withstand an earthquake presents another problem.
- b. Vehicular access within the City is affected by steep, hilly terrain and many secondary ridgelines. Many streets are narrow and winding, restricting the speed at

which fire apparatus may safely respond and also increasing the time-lapse between fire detection and apparatus arrival, during which time a family will face the fire or other emergency on their own. The City has many dead- end streets, and in Madrone Canyon, there is one main access route in or out of the area. Dead-end streets can restrict the ease of relocating fire and rescue equipment from one location to another, even though actual separating distance between two areas may be minimal. In addition to restricting access routes for fire apparatus, the dead-end streets also limit egress opportunities for residents.

- c. Many of the commercial buildings in Larkspur were largely built long before present code requirements existed. Consequently, many of these structures do not meet even minimal standards for fire protection and life safety. Wood frame construction of older buildings, especially those in mountainous areas, creates an adverse exposure problem, not only in being easily ignited by an adjacent structure fire, but also in contributing to the extension of fire to other buildings through radiation, actual physical heat conduction and flying embers. Fire history in the City has shown flying embers will start secondary fires after blowing in the air.
- d. The buildings in Madrone Canyon, many of which were constructed 50 or more years ago, are serviced by minimal water main sizes. The lack of adequate water supply in this area, along with winding streets, creates a unique fire problem. The generalized water shortage in Marin County results in occasional inadequate water volume and pressure for firefighting purposes in certain areas of the town.

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

**SECTION 1. City of Larkspur Municipal Code Amendment – Title 14, Chapter 14.04 is hereby repealed and replaced in its entirety to read as follows:**

**CHAPTER 14.04  
FIRE CODE**

**Sections:**

**14.04.010 ADOPTION OF 2019 CALIFORNIA FIRE CODE AND APPENDIX A OF THE 2018 INTERNATIONAL WILDLAND URBAN INTERFACE CODE**

There is hereby adopted by the City Council of the City of Larkspur, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion the following:

- 1. The 2019 California Fire Code, which consists of certain portions of the 2018 edition of the International Fire Code as amended by the California Building Standards Commission, including:
  - a. Division II of Chapter 1, Administration;
  - b. Appendix 4, Special Detailed Requirements Based On Use And Occupancy;

- c. Appendix B, Fire Flow Requirements For Buildings, the whole thereof, save and except such portions as are hereafter amended by Section 15.02.110 of this ordinance.
  - d. Appendix BB, Fire Flow Requirements For Buildings
  - e. Appendix C, Fire Hydrants Locations And Distribution
  - f. Appendix CC, Fire Hydrants Locations And Distribution
  - g. Appendix E, Hazard Categories
  - h. Appendix F, Hazard Ranking
  - i. Appendix G, Cryogenic Fluids – Weight And Volume Equivalentents
  - j. Appendix H, Hazardous Materials Management Plan And Hazardous Material Inventory Statements
  - k. Appendix O, Temporary Haunted Houses, Ghost Walks And Similar Amusement Uses.
2. The International Fire Code published by the International Fire Code Council, Inc., 2018 Edition hereof and the whole thereof, save and except such portions as are hereinafter amended, added or deleted by Section 15.02.110 of this Ordinance.
3. Appendix A of the 2018 edition of the International Wildland-Urban Interface Code save and except such portions as are hereinafter deleted, modified or amended by Section 15.02.110 of this Ordinance.

Not less than one (1) copy of the Codes and Standards hereby adopted is filed in the office of the Fire Marshal of the Central Marin Fire Authority and the same are hereby adopted and incorporated fully as if set out at length herein, and from the date on which this Ordinance shall take effect, and the provisions thereof shall be controlling within the limits of the City of Larkspur.

**14.04.020 ESTABLISHMENT AND DUTIES OF THE CENTRAL MARIN FIRE AUTHORITY FIRE PREVENTION BUREAU**

The 2019 California Fire Code, which consists of certain portions of the 2018 edition of the International Fire Code as amended by the California Building Standards Commission, and Appendix A of the 2018 edition of the International Wildland-Urban Interface Code as adopted and amended herein, shall be enforced by the Fire Prevention Bureau of the Central Marin Fire Authority and shall be operated under the Fire Code Official.

**14.04.030 DEFINITIONS**

Wherever they appear in the California and International Fire Codes, unless otherwise provided, the following words shall have the meanings ascribed to them in this section:

- (a) Whenever the words "Fire Code" are used they shall mean those Codes and Standards adopted in Larkspur Municipal Code Section 14.04.010.
- (b) Wherever the term "Counsel" is used in the Fire Code, it shall be held to mean the attorney for the City of Larkspur.

**14.04.040 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN OUTSIDE ABOVEGROUND TANKS IS PROHIBITED**

The geographic limits referred to in Section 5704.2.9.6.1 of the California Fire Code in which storage of Class I, Class II and Class III liquids in outside aboveground tanks is prohibited are amended as follows: In all residential areas and in all areas of the City of Larkspur. (Exception – Approved protected aboveground tanks are permitted in approved locations, in accordance with standards developed by the Fire Code Official).

**14.04.050 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN ABOVEGROUND TANKS IS PROHIBITED**

The geographic limits referred to in Section 5706.2.4.4 of the California Fire Code in which storage of Class I, Class II and Class III liquids in aboveground tanks is prohibited are amended as follows: In all residential areas and in all areas of the City of Larkspur. (Exception – Approved protected aboveground tanks are permitted in approved locations, in accordance with standards developed by the Fire Code Official).

**14.04.060 ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF STATIONARY TANKS OF FLAMMABLE CRYOGENIC FLUIDS IS TO BE PROHIBITED**

The geographic limits, referred to in Section 5806.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers are prohibited, are hereby established as follows: In all residential areas and in all areas of the City of Larkspur. (Exception – Approved protected aboveground tanks are permitted in approved locations, in accordance with standards developed by the Fire Code Official).

**14.04.070 ESTABLISHMENTS OF GEOGRAPHIC LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED**

The geographic limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are amended as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the City of Larkspur. (Exception – portable LPG tanks, containing five gallons or less storage capacity, are acceptable for approved use.)

**14.04.080 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED**

The geographic limits, in which storage of explosives and blasting agents is prohibited, are established as follows: In all areas within the boundaries of the City of Larkspur.

**14.04.090 ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED**

The geographic limits, in which the storage of compressed natural gas is prohibited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, as established by the City of Larkspur.

**14.04.100 ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF HAZARDOUS MATERIALS IS TO BE PROHIBITED OR LIMITED**

The geographic limits, in which the storage of hazardous materials is prohibited or limited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, as established by the City of Larkspur.

**14.04.110 AMENDMENTS MADE TO THE 2019 CALIFORNIA FIRE CODE, 2018 INTERNATIONAL FIRE CODE, AND 2018 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE**

Based upon the findings of the City Council regarding local climatic, topographical, and geological conditions, the following sections and/or subsections of the 2019 California Fire Code and the 2018 International Fire Code, and 2018 International Wildland-Urban Interface Code are amended and changed in the following respects:

**CHAPTER 1**  
**SCOPE AND ADMINISTRATION**

Section 101.1 of Chapter 1 is amended to read as follows:

Section 101.1 **Title.** These regulations and locally adopted standards shall be known as the Fire Code of the City of Larkspur, hereinafter referred to as “this code.”

Section 102.5 of Chapter 1 is hereby amended to read as follows:

Section 102.5 **Application of Residential Code.** Where structures are designed and constructed in accordance with the California Residential Code, the provisions of this code shall apply as follows:

1. Construction and designed provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Provisions of this code pertaining to the interior of the structure when specifically required by this code including, but not limited to, Section 903.2 and 1204.2.1 shall apply. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall also apply
2. Administrative, operational and maintenance provisions of this code shall apply.

Section 102.7.3 is hereby added to Chapter 1 and shall read as follows:

Section 102.7.3 **Nationally Recognized Listed Products.** Any installation of products and equipment due to permits required by this Code shall be Labeled and Listed, as defined in Section 202.

Section 104.1.1 is hereby added to Chapter 1 and shall read as follows:

Section 104.1.1 **Supplemental Rules, Regulations and Standards or Policies.** The Fire Code Official is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations and to develop Fire Protection Standards or Policies to carry out the application and intent of this code.

Section 104.12 is hereby added to Chapter 1 and shall read as follows:

Section 104.12. **Fire Prevention Resource Sharing.** Other enforcement agencies shall have authority to render necessary assistance in plan review, inspection, code interpretation, enforcement, investigation and other fire prevention services when requested to do so.

Section 105.6 of Chapter 1 is hereby amended by adding the following additional operational permits:

105.6 **Required Operational Permits.** The fire code official is authorized to issue operational permits for operations set forth in Sections 105.6.1 through 105.6.52

Section 105.6.52 of Chapter 1 is hereby added to read as follows:

105.6.52 **Local Permits.** In addition to the permits required by section 105.6, the following permits shall be obtained from the Fire Prevention Bureau prior to engaging in the following activities, operations, practices or functions:

1. **Fire Protection Plan.** An operational permit is required to implement a fire protection plan.
2. **Radioactive Material.** An operational permit is required to store or handle at any installation more than 1 micro curie (37,000 Becquerel) of radioactive material not contained in a sealed source or more that 1 millicurie (37,000,000 Becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which specific license from the Nuclear Regulatory Commission is required.

Section 105.7.26 is hereby added to Chapter 1 and shall read as follows:

Section 105.7.26 **Vegetation Management Plan.** A construction permit is required to implement a vegetation management plan.

Section 110.4 of Chapter 1 is hereby amended to read as follows:

Section 110.4 **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 directive of the Fire Code Official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

The imposition of one penalty of any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 110.4.2 of Chapter 1 is added to read as follows:

Section 110.4.2 **Abatement of Clearance of Brush or Vegetative Growth from Structures.** The executive body is authorized to instruct the Chief to give notice to the owner of the property upon which conditions regulated by section 304.1.2 of Chapter 3 and section 4907.1, 4907.2, and 4908 of Chapter 49 exists to correct such conditions. If the owner fails to correct such conditions, the executive body 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.

Section 110.4.3 is hereby added to Chapter 1 and shall read as follows:

**110.4.3 Corrective Actions**

- A. The owners of real property within the City shall be responsible for the maintenance of such property in conformance with the vegetation management standards of the City of Larkspur. Failure of the property owner to maintain such property in compliance with these vegetation management standards shall constitute a public nuisance and be subject to the nuisance abatement procedures established by Chapter 9.26 of the City Municipal Code.
- B. Nothing in this section shall prevent the City from taking such other action or commencing such other proceedings than the nuisance abatement proceedings in Chapter 9.26. The procedures provided by Chapter 9.26 are an alternative to any other procedure adopted by the City Council for the abatement of public nuisances, or which may be authorized by federal or state law or any provision of the Municipal Code, and not intended to be an exclusive remedy for any violation of this Chapter.
- C. Nothing contained in this section shall be construed as requiring the City to enforce the vegetation management standards of the City of Larkspur against any and all properties that may be in violation of those standards. The manner and method by which this section is enforced rests entirely at the City's prosecutorial discretion. Nothing in this section shall be construed as imposing a duty on the City, or on City officers, agents or employees.

Section 112.4 of Chapter 1 is hereby amended to read as follows:

Section 112.4 **Failure to Comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine not less than \$100 dollars or more than \$1000 dollars.

Section 114 is hereby added Chapter 1 and shall read as follows:

Section 114 **DAMAGES AND EXPENSE RECOVERY**

Section 114.1 **Damages and Expense Recovery.** The expense of securing any emergency that is within the responsibility for enforcement of the Fire Chief as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.

**CHAPTER 2**  
**DEFINITIONS**

Section 202-[C] of Chapter 2 is hereby amended by adding the following general definition:

**COVERINGS** shall mean materials including, but not limited to gypsum board, paneling, floorboards, lathe and plaster, wood paneling, brick and mortar, or other materials attached to rough framing of the building elements. 'Coverings' do not include carpet, linoleum, tile, wallpaper, or other decorative finishes.

Section 202-[O] of Chapter 2 is hereby amended by adding the following general definition:

**OCCUPANCY CLASSIFICATION** is modified to include:

[BG] **Factory Industrial F-1 Moderate-hazard occupancy** is amended to add to the list of moderate-hazard factory industrial groups the following:

Agricultural crop production including cultivation, drying, processing and /or storage.

Section 202-[P] of Chapter 2 is hereby amended by adding the following general definition

**PRE-PLANS** shall mean detailed plans of target hazard buildings. These pre-plans include information on the building's location, occupancy, hazards, fire department connections and hydrants, building layout, and other pertinent data that would assist the fire department in case of an emergency.

**PUBLIC STORAGE FACILITY** shall mean any business that sells, leases or rents space to the public that is enclosed, whether it is a building, storage container or similar configuration.

Section 202-[S] of Chapter 2 is hereby amended by adding the following general definition

**SPARK ARRESTOR** shall mean a chimney device constructed in a skillful-like manner. The net free area of a spark arrestor shall not be less than four times the net free area of the outlet of the chimney. The spark arrestor screen shall have heat and corrosion resistance equivalent to 12-gauge wire, 19-gauge galvanized wire or 24-gauge stainless steel. Opening shall not permit the passage of spheres having a diameter larger than 1/2 inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.

**SUBSTANTIAL REMODEL** shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area, which exceeds fifty percent of the existing floor area of the structure within any 36-month period. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for the purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

Section 202-[T] of Chapter 2 is hereby amended by adding the following general definition

**TEMPORARY** shall mean any use for a period of less than 90 days, where not otherwise referenced.

Section 202-[U] of Chapter 2 is hereby amended by adding the following general definition

**UNWARRANTED ALARM** shall mean the giving, signaling or transition of an alarm notification to a public fire station or emergency communication center when such alarm is the result of a defective condition of an alarm system, system servicing testing, construction activities, ordinary household activities, false alarm or other cause when no such danger exists.

### **CHAPTER 3** **GENERAL REQUIREMENTS**

Section 302.1 in Chapter 3 is hereby amended to add the following:

#### **PUBLIC STORAGE FACILITY**

California Fire Code, Section 304.1.2 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 all areas shall be in accordance with Chapter 3 and Chapter 49. Vegetation clearance requirements in Wildland-Urban Interface areas shall be in accordance with Chapter 49.

Section 319 of Chapter 3 is deleted in its entirety.

Section 321 is hereby added to Chapter 3 and shall read as follows:

#### **Section 321 Public Storage Facilities**

Section 321.1 **General.** Public Storage Facilities shall comply with the provisions of this section.

Section 321.2 **Location on Property and Fire Resistance of Exterior.** All public storage facilities shall meet the minimum requirements for setback from property lines or fire resistive construction as set forth in Table 602 of the Building Code for Group S, Division 1 occupancies.

Section 321.3 **Fire Apparatus Access.** All public storage facilities shall have fire apparatus access roads provided in accordance with Section 503.

Section 321.4 **Storage of Flammable and Combustible Liquids and Hazardous Materials.** The storage of hazardous materials or flammable or combustible liquids in public storage facilities is prohibited. Such facilities shall post legible and durable sign(s) to indicate same in a manner and location(s) as specified by the Fire Code Official. This section shall apply to new and existing public storage facilities.

Exception: Only those quantities of flammable and combustible liquids necessary for maintenance of the facility may be stored by the facility management per Chapter 57 of this code.

**CHAPTER 4**  
**EMERGENCY PLANNING AND PREPAREDNESS**

Section 401.1.1 is hereby added to Chapter 4 and shall read as follows:

Section 401.1.1 **Hazardous Occupancies.** In occupancies of a hazardous nature, where access for fire apparatus is unduly difficult, or where special life and fire safety hazards exist as determined by standards or policies of the Central Marin Fire Authority, that facility or business management shall be required to develop and implement an Emergency Response Plan, provide for an on-site Emergency Response Team, Emergency Liaison Officer, staff training and fire drills in accordance with Sections 405 and 406 and standards developed by the Central Marin Fire Authority.

Section 401.3.2.1 is hereby added to Chapter 4 and shall read as follows:

Section 401.3.2.1 **Unwarranted Alarm Notification.** Notification of emergency responders based on an unwarranted alarm may be punishable by a fine in accordance with the adopted fee schedule. In addition, the responsible party may be liable for the operational and administrative costs, incurred from the emergency response or mitigation procedures resulting from an unwarranted alarm notification.

Section 401.3.2.2 is added to read as follows:

Section 401.3.2.2 **Multiple Unwarranted or Nuisance Alarm Activations.** Any occupancy that has more than 3 unwarranted or nuisance alarms causing emergency response within a 12-month period may be required to modify, repair, upgrade or replace their system and or monitoring station as determined by the Fire Code Official.

Section 402.1 of Chapter 4 is hereby amended to add the following:

**PRE-PLANS**  
**UNWARRANTED ALARMS**

Section 403.1.1 is hereby added to Chapter 4 and shall read as follows:

Section 403.1.1 **Pre-Plans:** When required by the fire code official, pre-plans shall be developed for target hazard buildings according to the written standards developed by the authority having jurisdiction.

Section 403.10.1.4 is hereby added to Chapter 4 and shall read as follows:

Section 403.10.1.4 **Emergency Preparedness for Hotels, Lodging and Congregate Houses.** Hotels, lodging and congregate houses shall provide guests with immediate access to a telephone to report emergencies. The exit diagram shall indicate the location of the nearest telephone and instructions to dial 911.

**CHAPTER 5**  
**FIRE SERVICE FEATURES**

Section 503.1 of Chapter 5 is hereby amended to read as follows:

Section 503.1 **Where Required.** Fire Apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.5.

Section 503.1.4 of Chapter 5 is hereby added to read as follows:

Section 503.1.4 **Undeveloped Areas.** Fire Apparatus Access Roads, improved or unimproved, shall be provided for firefighting equipment, apparatus and personnel to undeveloped areas of the City of Larkspur so as to gain access to improved, unimproved, and undeveloped areas of the City of Larkspur in a manner approved by the Fire Code Official. Any vehicle or other obstructions may be towed away at the owner's expense.

Section 503.1.5 of Chapter 5 is hereby added to read as follows:

Section 503.1.5 **Aerial Fire Apparatus Access.** Buildings or facilities exceeding 30 feet or three stories in height, an approved aerial apparatus access roads shall be provided. For the purposes of this section, the highest roof surface shall be determined by the measurement to the eave of the pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

Section 503.1.5.1 **Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

Section 503.1.5.2 **Proximity to Building.** One or more of the required access routes meeting this condition shall be located not less than 15 feet and not more than 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

Section 503.1.5.3 **Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus access road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

Section 503.2.1 of Chapter 5 is hereby amended to read as follows:

Section 503.2.1 **Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, 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.

Section 503.2.6.1 is hereby added to Chapter 5 and shall read as follows:

Section 503.2.6.1 **Evaluation and Maintenance.** All existing private bridges and elevated surfaces that are a part of the fire department access roadway shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for safety and weight rating, in accordance with American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation," Second Edition, or other approved standard. Vehicle load limits shall be posted at both entrances to bridges. All bridges and elevated structures providing fire department access shall be routinely maintained in accordance with Section 503.2.6 or when directed by the fire code official or authorized designee.

Section 503.4 of Chapter 5 is amended to read as follows:

Section 503.4 **Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in sections 503.2.1 and 503.2.2 shall be maintained at all times. Any vehicle or other obstruction may be towed away at the owner's expense.

Section 503.4.2 is hereby added to read as follows:

503.4.2 **Prohibition of Vehicular Parking on Private Access Ways.** If, in the judgment of the Fire Code Official, it is necessary to prohibit vehicular parking along private access ways serving existing facilities, buildings, or portions of buildings in order to keep them clear and unobstructed for fire apparatus access, the Fire Code Official may issue an Order to the owner, lessee or other person in charge of the premises to paint the curbs red or install signs or other appropriate notices to the effect that parking is prohibited by Order of the Fire Department. It shall thereafter be unlawful for such owner, lessee or other person in charge of the premises to fail to install, maintain in good condition, the form of notice so prescribed. When such areas are marked or signed as provided herein, no person shall park a vehicle adjacent to any such curb or in the private access way contrary to such markings or signs. Any vehicle so parked in the private access way may be towed away at the expense of the owner of the vehicle.

Section 503.6.1 is hereby added to Chapter 5 and shall read as follows:

503.6.1 **Width.** All gates shall open fully to provide an unobstructed passage width of not less than 16 feet or a minimum of two feet wider than the approved net clear opening of the required all weather roadway or driveway and a minimum net vertical clearance of 15 feet.

Section 503.6.2 is hereby added to Chapter 5 and shall read as follows:

Section 503.6.2 **Electronic Gates.** All electronic operated gates shall have installed an approved key switch override system mounted on a stanchion or wall as approved by

the Chief in accordance with Standards/Policies adopted by the Fire Code Official. All electronic or motorized gates shall incorporate in their design the means for fast, effective manual operation of the gates in the event of power or mechanical failure (i.e., easily removable hinge pins for separating power linkage from gates; undercut, weakened or frangible members requiring 40 pounds or less pressure against the gates to cause their failure and the gates to open. All electrical wiring and components of motorized gates shall be UL listed and installed in accordance with the National Electric Code.

Section 507.5.1 of Chapter 5 is hereby amended by deleting exceptions 1 and 2 and shall read as follows.

Section 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 350 feet 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.

Section 507.5.1.1 of Chapter 5 is amended to read as follows:

Section 507.5.1.1 **Hydrant for Fire Department Connections.** Buildings equipped with a water-based fire protection system installed in accordance with Section 903 through 905 shall have a fire hydrant within 100 feet of the fire department connections, or as approved by the fire code official.

Section 507.5.7 is hereby added to Chapter 5 and shall read as follows:

Section 507.5.7 **Fire Hydrant Upgrades.** When additions or modifications to structures are made, the nearest fire hydrant (if a new one is not required) located by the Fire Code Official, shall be upgraded to the minimum standard of one 4 1/2" outlet and one 2 1/2" outlet for single family dwellings and the minimum standard of two 4 1/2" outlets and one 2 1/2" outlet for commercial structures.

Exception: If the cost of upgrading the fire hydrant exceeds 2% of the cost of the project based on the building permit valuation.

Section 510.1 of Chapter 5 is hereby amended by deleting Exception 1.

## **CHAPTER 7** **FIRE AND SMOKE PROTECTION FEATURES**

Section 709 of Chapter 7 is hereby added to read as follows:

### **Section 709 ROOFING MATERIALS**

Section 709.1 **Materials.** All roofing materials shall be in accordance with section 708.

Section 709.2 **New Roofs.** All newly installed roofs and additions to existing roofs are to be of non-combustible or minimum "Class A" listed construction.

Section 706.3 **Existing Roofs.** When alterations or repairs to existing roofs exceed 50%

of the total roof area in any thirty-six (36) month period, the entire roof shall be replaced with non-combustible or minimum "Class A" listed construction.

**CHAPTER 9**  
**FIRE PROTECTION AND LIFE SAFETY SYSTEMS**

Section 901.7 of Chapter 9 is hereby amended by adding the following sentence:

Section 901.7 **Systems out of Service.** Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. This section shall also apply to residential fire sprinkler systems.

Section 903.2 of Chapter 9 is repealed in its entirety (with the exception of sub-sections 903.2.5, 903.2.6, 903.2.8, 903.2.11, 903.2.12, 903.2.14, 903.2.15, 903.2.16, 903.2.17, 903.2.18, 903.2.19, 903.2.20 which shall remain in effect).

Section 903.2 of Chapter 9 is hereby added to read as follows:

Section 903.2 **Where Required.** Approved automatic sprinkler systems in new and existing buildings shall be provided in the locations described in this section.

Section 903.2.1 through 903.2.4 of Chapter 9 are hereby added to read as follows:

Section 903.2.1 **Required Installations.** An automatic sprinkler system shall be installed and maintained in all newly constructed buildings or structures.

**Exceptions:**

1. Detached pool houses, workshops, Group U private garages, barns and similar structures, built in conjunction with existing non-sprinklered single-family residences and provided the new structure is less than 1,000 square feet and is not intended for use as a dwelling unit.
2. Detached non-combustible, limited combustible, or fire retardant treated wood canopies.
3. Group B or M occupancies less than 1000 square feet.
4. Detached restroom facilities associated with golf courses, ball fields, parks and similar uses as approved by the Fire Code Official.
5. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2000 square feet, having clear unobstructed side yards free of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height, located within an agricultural zoned district as defined in the Town of Corte Madera Planning Code.

Section 903.2.2 **Additions and Alterations.** An automatic sprinkler system shall be installed in all buildings in excess of 3,000 sq. ft., which have ten per cent (10%) or more floor area added within any thirty-six (36) month period.

Section 903.2.2.1 **Substantial Remodel.** An automatic sprinkler system shall be installed in all buildings, which have fifty per cent (50%) or more floor area added, or any "substantial remodel" as defined in this code, within any thirty-six (36) month period.

Section 903.2.3 **Group R-3.** An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies and shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the California Residential Code. An automatic sprinkler system shall be installed in all mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Section 903.2.4 **Change of Occupancy or Use.** For any change of occupancy or use, when the proposed new occupancy classification is more hazardous based on a fire and life safety evaluation by the Fire Code Official, including but not limited to conversion of buildings to single family residences, accessory dwelling units, bed and breakfast, inns, lodging houses or congregate residences or other similar uses, an automatic sprinkler system shall be installed throughout.

Section 903.3.9 of Chapter 9 is hereby amended by replacing item 2 with the following:

Section 903.3.9 **Floor control valves.** Floor control valves and waterflow detection assemblies shall be installed at each floor where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are two or more stories in height.
3. Buildings that are two or more stories below the highest level of fire department vehicle access.

**Exception:** Group R-3 and R-3.1 occupancies floor control valves and waterflow detection assemblies shall not be required.

Section 903.6.1 of Chapter 9 is hereby added and shall read as follows:

Section 903.6.1 **Application.** In all existing buildings, when the addition of automatic fire sprinklers is required by the provisions of this code, automatic fire sprinklers shall be extended into all unprotected areas of the building.

Section 906.11 is hereby added to Chapter 9 and shall read as follows:

Section 906.11 **Fire Extinguisher Documentation.** The owner and/or operator of every Group R Division 1 and R Division 2 occupancies shall annually provide the Chief written documentation that fire extinguishers are installed and have been serviced as required by Title 19 California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.

Section 907.2.12.1.2 of Chapter 9 is hereby amended by adding new subsection 3 to read as follows:

3. Duct smoke detectors shall be capable of being reset by a readily accessible, remote push button or key activated switch as approved by the Fire Code Official.

Section 907.6.6 is hereby amended to read as follows:

Section 907.6.6 **Monitoring.** New and upgraded fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved Central Station in accordance with NFPA 72 and this section.

**Exception:** Monitoring by central station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.
3. Automatic sprinkler systems in one- and two-family dwellings.

Section 907.8.5.1 of Chapter 9 is hereby added and shall read as follows:

Section 907.8.5.1 **Smoke Alarm Documentation.** The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

Section 918 of Chapter 9 is hereby added to read as follows:

## 918 GAS SHUT-OFF DEVICES

### 918.1 General.

918.1.1 **Definition.** For the purposes of this section certain terms shall be defined as follows:

"Downstream of gas utility meter" refers to all customer-owned gas piping, or in liquid petroleum gas installations said term shall refer to the gas piping on the structure side of the gas regulator.

"Excess flow gas shut-off device" means those valves or devices that are not actuated by motion but are activated by significant gas leaks or over- pressure surges, which can occur when pipes rupture inside the structure. The design of the device provides a proven method to automatically provide for expedient and safe gas shut-off in an emergency. The design of the device shall provide a capability for ease of consumer or owner resetting in a safe manner.

"Seismic gas shut-off device" means a system consisting of a seismic sensing device and actuating device designed to actuate automatically a companion gas shut off means installed in a gas piping system in order to shut off the gas downstream of the location of the gas shut-off device in the event of a severe seismic disturbance. The system may consist of separable components or may incorporate all functions in a single body.

"Upstream of gas utility meter" refers to all gas piping installed by the utility up to and including the meter and the utility's bypass tee at the connection to the customer-owned piping.

"Gas shut-off device" as used in this section, refers to either a seismic gas shut-off device or excess flow gas shut-off device.

"Substantial Remodel" shall mean the renovation of any structure that, combined with any additions to the structure, affects a floor area that exceeds fifty percent of the existing floor area of the structure. When any structural changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

**Section 918.2 General.**

**Section 918.2.1 Devices: When Required.** Approved gas shut-off devices shall be installed:

1. In every newly constructed building and facility. [L] [SEP]
2. In newly created second units. [L] [SEP]
3. In all buildings that have more than fifty percent (50%) floor area added or any "substantial remodel," as defined in this ordinance, within any thirty-six (36) month period. [L] [SEP]
4. In all buildings, except R-3 occupancies, in excess of 3,000 sq. ft., that have more than ten percent (10%) floor area added within any thirty-six (36) month period.
5. Whenever any new gas piping is installed.

[L] [SEP]

Exceptions: [L] [SEP]

- A. Gas shut-off devices installed on a building prior to the effective date of this ordinance are exempt from the requirements of this section, provided they remain installed on the building or structure and are maintained for the life of the building or structure. [L] [SEP]
- B. Gas shut-off devices installed on a gas distribution system owned or operated by a public utility shall not be subject to the requirements of this chapter (Health & Safety Code Section 19201(b)). [L] [SEP]

**Section 918.2.2 Devices: Location Required.**

1. Seismic gas shut-off devices shall be installed downstream of the gas utility meter on each fuel gas line where the gas line serves a building; and/or

2. Excess flow gas shut-off devices shall be installed downstream of the gas utility meter on each fuel gas line where the gas line serves a building and at each gas appliance within a building.

**Section 918.3 General Requirements.**

Gas shut-off devices installed either in compliance with this ordinance or voluntarily, with a permit issued on or after the effective date of this ordinance, shall comply with all of the following requirements:

1. Be installed in accordance with the manufacturer's instructions [SEP]
2. In the case of seismic gas shut-off devices (motion sensitive) only, such devices must be mounted rigidly to the exterior of the building or structure containing the fuel gas piping. This requirement need not apply if the device (motion sensitive) has been tested and listed for an alternate method of installation [SEP]
3. Seismic gas shut-off devices shall be certified by the State Architect and be listed by an approved listing and testing agency such as IAS, IAPMO, UL, or the Office of the State Architect [SEP]
4. Have a thirty (30) year warranty that warrants that the valve or device is free from defects and will continue to properly operate for thirty (30) years from the date of installation [SEP]
5. Where gas shut-off devices are installed voluntarily, or as required by this section, they shall be maintained for the life of the building or structure or be replaced with a valve or device complying with the requirements of this section. [SEP]

**Section 918.4 List of Approved Valves and Devices.**

The Town's Fire Department shall maintain a list of all gas shut-off devices that meet or exceed the requirements of devices certified by the Office of the State Architect for installation in the State of California and that comply with the standards and criteria set forth in Health and Safety Code Section 19180 et seq., including quality and design regulation for earthquake actuated automatic gas shut-off systems (See 24 Cal. Code Regs. Ch. 12-16-1).

**CHAPTER 11**  
**CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS**

Section 1103.1 of Chapter 11 is hereby amended to read as follows:

**Section 1103.1 Required Construction.** Existing buildings shall comply with not less than the minimum provisions specified in Table 1103.1 and as further enumerated in Sections 1103.2, 1103.7 through 1103.8.5.3, 1103.9.1, and 1103.10.

The provisions of this chapter shall not be constructed to allow the elimination of fire protection systems or a reduction in the level of fire safety provided in buildings constructed in accordance with previously adopted codes.

**Exceptions:**

1. Where a change in fire-resistance rating has been approved in accordance with Section 501.2 or 802.6 of the California Existing Building Code.
2. Group U occupancies.

Sections 1103.2 Item #1 is deleted.

Sections 1103.3 through 1103.6.2 are deleted.

Sections 1103.9 is deleted.

Sections 1104 and 1105 are deleted.

**CHAPTER 26**  
**FUMIGATION AND INSECTICIDAL FOGGING**

Chapter 26 is deleted in its entirety.

**CHAPTER 33**  
**FIRE SAFETY DURING CONSTRUCTION**

Section 3313.3 of Chapter 33 is amended by adding the following to the end of the exception:

**Exception:** Standpipes shall be either temporary or permanent in nature, and with or without a water supply, provided that such standpipes comply with the requirements of Section 905 as to capacity, outlets and materials, as approved by the Fire Code Official.

Section 3314.3 in Chapter 33 is added to read as follows:

Section 3314.3 **Where required.** In buildings of combustible construction required to have automatic sprinkler system by Section 903, automatic sprinkler system shall be installed prior to construction exceeding two stories in height above the lowest level of fire department vehicle access. Such automatic sprinkler system shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

Section 3314.4 of Chapter 33 is added to read as follows:

Section 3314.4 **Buildings being demolished.** Where a building is being demolished and an automatic sprinkler system is existing within such a building, such automatic sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such automatic sprinkler system shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

Section 3314.5 of Chapter 33 is added to read as follows:

Section 3314.5 **Detailed requirements.** Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.

**CHAPTER 49**  
**REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS**

Section 4902.1 of Chapter 49 is amended to read as follows:

**WILDLAND-URBAN INTERFACE FIRE AREA.** A geographical area identified by the Town of Corte Madera as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code, Sections 4201 through 4204, and Government Code, Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires, as designated on the map titled Wildland-Urban Interface Fire Area, dated February 28, 2008.

Section 4906.2 of Chapter 49 is amended to read as follows:

Section 4906.2 **Application.** Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
  - 1.1. Moderate Fire Hazard Severity Zones.
  - 1.2. High Fire Severity Zones.
  - 1.3. Very-high Fire Severity Zones.
2. Land designated as Very-high Fire Hazard Severity Zone by cities and other local agencies.
3. Land designated as Wildland-Urban Interface Fire Areas by cities and other local agencies.

Section 4907.1 of Chapter 49 is amended to read as follows:

Section 4907.1 **General.** Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and “SRA Fire Safe Regulations” California Code of Regulations, Title 14 Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Very-high Fire Hazard Severity Zones of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in Government Code 51175-51189 and any local ordinance of the authority having jurisdiction.

Buildings and structures within the Wildland-Urban Interface Fire Area of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in the Government Code Sections 51175-51189 and local standards of the authority having jurisdiction.

Section 4907.2 of Chapter 49 is hereby added and shall read as follows:

Section 4907.2 **Fire Hazard Reduction.** Any person who owns, leases, controls or maintains any building or structure, vacant lands, open space, and/or lands within specific Wildland Urban Interface areas of the jurisdiction of the Town of Corte Madera shall comply with the following:

1. Cut and remove all fire prone vegetation within 30 feet of structures, up to 150 feet when topographic or combustible vegetative types necessitate removal as determined by the Fire Code Official.
2. Remove accumulated dead vegetation on the property.
3. Cut and remove tree limbs that overhang wood decks and roofs.
4. Remove that portion of any tree which extends within 10 feet of any chimney or stovepipe, roof surfaces and roof gutters
5. Clean any leaves and needles from roof and gutters.
6. Cut and remove growth less than 3-inches in diameter, from the ground up to a maximum height of 10 feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third of the tree's total height.
7. Vegetation clearance requirements for new construction and substantial remodels in Wildland-Urban Interface Areas shall be in accordance with the 2018 International Wildland-Urban Interface Code, as amended by the Town of Corte Madera.

EXCEPTION 1: When approved by the Fire Code Official, single specimens of trees, ornamental shrubbery or similar plants, or plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

EXCEPTION 2: When approved by the Fire Code Official, grass and other vegetation located more than 30 feet from buildings or structures less than 18 inches in height above the ground need not be removed where necessary to stabilize soil, and prevent erosion.

Section 4908 of Chapter 49 is hereby added and shall read as follows:

Section 4908 **Fire Hazard Reduction from Roadways.** The Fire Code Official is authorized to cause areas within 10 feet on each side of portions of highways, fire apparatus access roads (improved or unimproved), and driveways (improved or unimproved), which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. Corrective action, if necessary, shall be the same as the actions required in section 4907.2. The Fire Code Official is authorized to enter upon private property to carry out this work.

EXCEPTION 1: When approved by the Fire Code Official, single specimens of trees, ornamental shrubbery or similar plants, or plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

**CHAPTER 56**  
**EXPLOSIVES AND FIREWORKS**

Section 5601.1.3 of Chapter 56 Exceptions 1, 2, and 4 are hereby deleted.

Section 5608.1.2 of Chapter is added to read as follows:

Section 5608.1.2 **Permit required.** A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to the performance of any firework display. Application for such approval shall be made in writing no less than twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the fire code official or authorized designee pursuant to this Chapter and Title 19, Chapter 6, Article 3 - Licenses of the California Code of Regulations. Any permit for a fireworks display may be suspended or revoked at any time by the Fire code official or authorized designee.

Section 5608.2 of Chapter 56 is added to read as follows:

Section 5608.2 **Limitations.** Possession, storage, offer or expose for sale, sell at retail, gift or give away, use, explode, discharge, or in any manner dispose of fireworks is prohibited within the limits established by law as the limits of the districts in which such possession, storage, offer or exposure for sale, retail sale, gifting, use, explosion, discharge, or disposal of fireworks is prohibited in any area as established by applicable land-use and zoning standards.

**Exception:** Firework displays authorized pursuant to section 5608.1 for which a permit has been issued.

**APPENDIX B**  
**FIRE-FLOW REQUIREMENTS FOR BUILDINGS**

California Fire Code, Appendix B Table B105.1(1) is amended to read as follows:

**TABLE B105.1(1)**  
**REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES**

| <b>FIRE-FLOW CALCULATION AREA (square feet)</b> | <b>AUTOMATIC SPRINKLER SYSTEM (Design Standard)</b>   | <b>MINIMUM FIRE-FLOW (gallons per minute)</b> | <b>FLOW DURATION (hours)</b>                               |
|---|---|---|--|
| 0-3,600   | No automatic sprinkler system   | 1,500   | 2  |
| 3,601 and greater                               | No automatic sprinkler system   | Value in Table B105.1(2)                      | Duration in Table B105.1(2) at The required fire-flow rate |
| 0-3,600   | Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i> | 1,500   | 2  |
| 3,601 and greater                               | Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California</i>                  | ½ value in Table B105.1(2) <sup>a</sup>       | Duration in Table B105.1(2) at The required fire-flow      |

|  |                         |  |      |
|--|-------------------------|--|------|
|  | <i>Residential Code</i> |  | rate |
|--|-------------------------|--|------|

For SI: 1 square foot = 0.0929 m<sup>2</sup>, 1 gallon per minute = 3.785 L/m.

- a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

Appendix B Table B105.2 is amended to read as follows:

**TABLE B105.2  
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND  
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES**

| <b>AUTOMATIC SPRINKLER SYSTEM<br/>(Design Standard)</b> | <b>MINIMUM FIRE-FLOW<br/>(gallons per minute)</b> | <b>FLOW DURATION<br/>(hours)</b>                     |
|---|---|--|
| No automatic sprinkler system                           | Value in Table B105.1(2)                          | Duration in Table B105.1(2)                          |
| Section 903.3.1.1 of the <i>California Fire Code</i>    | 50% of the value in Table B105.1(2) <sup>a</sup>  | Duration in Table B105.1(2) at the reduced flow rate |
| Section 903.3.1.2 of the <i>California Fire Code</i>    | 50% of the value in Table B105.1(2) <sup>a</sup>  | Duration in Table B105.1(2) at the reduced flow rate |

For SI: 1 gallon per minute = 3.785 L/m.

- a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

**APPENDIX C  
FIRE HYDRANT LOCATIONS AND DISTRIBUTION**

Section C103.1 of Appendix C is amended to read as follows:

Section C103.1 **Hydrant spacing.** Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the California Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be approved by the fire code official.

Section C103.2 of Appendix C is deleted.

Section C103.3 of Appendix C is deleted.

**INTERNATIONAL WILDLAND-URBAN INTERFACE  
APPENDIX A**

Section A104.7.2 of Appendix A of the International Wildland-Urban Interface Code is amended to read as follows:

Section A104.7.2 **Permits.** The Fire Code Official is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the Fire Code Official.

Section A104.11 of Appendix A of the International Wildland-Urban Interface Code is hereby added and shall read as follows:

Section A104.11 – **Tracer Bullets, Tracer Charges, Rockets and Model Aircraft.** Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across hazardous fire areas. Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause a fire shall not be fired or projected into or across hazardous fire areas.

Section A104.12 of Appendix A of the International Wildland-Urban Interface Code is hereby added and shall read as follows:

Section A104.12 **APAIRIES.** Lighted or smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas except by permit from the Fire Code Official.

Section A104.13 of Appendix A of the International Wildland-Urban Interface Code is hereby added and shall read as follows:

Section A104.13 **Explosives and Blasting.** Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within hazardous fire areas except by permit from the Fire Code Official.

#### 14.04.120 FINDINGS

To the extent that any of the provisions of this Ordinance constitute changes or modifications in the requirements contained in Health and Safety Code Section 17922, the Larkspur City Council does hereby find that such changes and modifications are reasonably necessary because of local conditions prevailing within the City of Larkspur. A description of said local conditions is hereinafter set forth.

##### 1. CLIMATIC.

- a. The weather patterns within the City of Larkspur is considered to be moderately affected by the Pacific Ocean and the San Francisco Bay, which extends the year-round growing season of vegetation. The normal year's rainfall is approximately 28 inches, while the summer condition, with its prevalent Pacific high cell, creates the morning and late afternoon fog normally associated with the San Francisco Bay.
- b. While normal temperatures usually do not exceed 75-80 degrees during the summer months, little or no rain falls during the period between April and November. This combination often creates hazardous fuel conditions in the town. Drying winds in the summer and fall months reduce fuel moisture and relative humidity to the minimum levels, thereby creating ideal fire weather conditions. The normal afternoon winds that precede the fog can move a fire quickly in the hillside and open space areas of the town.
- c. Because of climatic conditions, the County of Marin has experienced water rationing in recent years, including a mandatory 35 percent reduction in 1989 and 20% in 2015. Water shortages can be expected in future years due to limited storage capacities in Marin, increased domestic consumption and weather patterns that reduce the already minimal annual rainfall. While sound management of the water resources is possible, actual demands on an already stressed water supply can most assuredly be predicted.

**2. GEOLOGIC.**

- a. The City of Larkspur is geologically mixed with three classifications of rock: igneous, metamorphic and sedimentary. The outstanding material is volcanic in origin with ridges of serpentine reaching in excess of 700 feet in elevation.
- b. Much of the City is characterized by precipitous hilly areas where escape opportunities from residential structures are limited to one side of the home only. The steepness and uneven nature of the land often hinders, and sometimes prevents, the erecting of rescue ladders at the side of a home on a hillside parcel.
- c. Seismic activity within the town occurs yearly with little or no damage, although a real potential does exist with the town situated between two active faults: the San Andreas and Hayward faults.
- d. Landslides have also been experienced in the town in recent years. While stabilization of hillsides can sometimes be achieved, heavy rainfalls have caused failures. These slides can close roadways, making accessibility to many locations in the town impossible until properly cleared.

**3. TOPOGRAPHIC.**

- a. The City of Larkspur is accessible from the outside by one primary thoroughfare on the east side and three on the west side. Speed limits of 25 miles per hour, by virtue of the narrow and twisting configuration of the roads, do not allow quick responses to emergencies. The Highway 101 corridor goes directly through the town and an overpass that may or may not withstand an earthquake presents another problem.
- b. Vehicular access within the City is affected by steep, hilly terrain and many secondary ridgelines. Many streets are narrow and winding, restricting the speed at which fire apparatus may safely respond and also increasing the time-lapse between fire detection and apparatus arrival, during which time a family will face the fire or other emergency on their own. The City has many dead- end streets, and in Madrone Canyon, there is one main access route in or out of the area. Dead-end streets can restrict the ease of relocating fire and rescue equipment from one location to another, even though actual separating distance between two areas may be minimal. In addition to restricting access routes for fire apparatus, the dead-end streets also limit egress opportunities for residents.
- c. Many of the commercial buildings in Larkspur were largely built long before present code requirements existed. Consequently, many of these structures do not meet even minimal standards for fire protection and life safety. Wood frame construction of older buildings, especially those in mountainous areas, creates an adverse exposure problem, not only in being easily ignited by an adjacent structure fire, but also in contributing to the extension of fire to other buildings through radiation, actual physical heat conduction and flying embers. Fire history in the City has shown flying embers will start secondary fires after blowing in the air.
- d. The buildings in Madrone Canyon, many of which were constructed 50 or more years ago, are serviced by minimal water main sizes. The lack of adequate water supply in

this area, along with winding streets, creates a unique fire problem. The generalized water shortage in Marin County results in occasional inadequate water volume and pressure for firefighting purposes in certain areas of the town.

**Conclusion.** Local climatic, geographic and topographic conditions impact fire prevention efforts, and the frequency, spread, acceleration, intensity and size of fire involving buildings in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be reasonably necessary that the California Fire Code and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

The following table provides code sections that have been modified pursuant to this Ordinance, due to local climatic, geological and topographical reasons.

CA Fire Code Section Number Local followed by corresponding climatic, geological and topographical condition findings as set forth above:

|                   |  |
|-------------------|--|
| 202               | 1c, 2a, 2b, 2d, 3a, 3b                     |
| 321.1 – 321.4     | 2b, 2d, 3a, 3b, 3c, 3d                     |
| 401.1.1           | 2c, 2d, 3a, 3b, 3c, 3d                     |
| 401.3.2.2         | 2a, 2c, 2d, 3a, 3b, 3c                     |
| 403.1.1           | 2a, 2b, 2c, 2d, 3a, 2g                     |
| 403.10.1.4        | 2a, 2b, 2c, 2d, 2e, 2g                     |
| 503.1             | 2a, 2c, 2d, 2e, 2f, 2g                     |
| 503.1.4           | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 503.1.5           | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 503.2.6.1         | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 503.4             | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 503.4.2           | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 503.6.1           | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 503.6.2           | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 507.5.1           | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 507.5.1.1         | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 507.5.7           | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| 510.1             | 2a, 2b, 2c, 2d, 3d                         |
| 903.2.1 – 903.2.4 | 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d             |
| 903.3.9           | 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d             |
| 903.6.1           | 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d             |
| 907.6.6           | 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d             |
| 912.2             | 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d             |
| 3313.3            | 2a, 2b, 2c, 2d, 3d                         |
| 3314.3            | 2a, 2b, 2c, 2d, 3d                         |
| 3314.4            | 2a, 2b, 2c, 2d, 3d                         |
| 4902.1            | 1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d |
| 4906.2            | 1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d |
| 4907.1 – 4907.2   | 1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d |
| 4908              | 1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d |
| 5608.1.2 – 5608.2 | 2a, 2c, 2d, 3a, 3b, 3c, 3d                 |
| Appendix B        | 2a, 2b, 2c, 2d, 3a, 3b, 3c                 |

**14.04.130 APPEALS**

Whenever the Fire Code Official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Code Official to the City Council in writing, within 30 days from the date of the decision appealed. The City Council shall render decisions and findings in writing to the Fire Code Official, with a duplicate copy to the appellant.

**14.04.140 PENALTIES**

(a) Any person who violates any of the provisions of the California Fire Code, as adopted and amended herein, or any other section, subsection, or provision of this chapter, or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the Fire Code Official, or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not less than \$100.00 nor more than \$1,000.00 or by imprisonment for not more than 180 days or by both such fine and imprisonment. The prosecuting authority may, however, in its discretion charge or reduce any violation to an infraction punishable as stated by Government Code Section 36900(c). The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and, when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

**14.04.150 FORMER ORDINANCES**

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the Code hereby adopted are hereby repealed.

**14.04.160 VALIDITY**

By adoption of this chapter the City Council does not intend to create, establish, or impose any mandatory duty or liability on the part of the town, its officers, employees, or any other person acting on its behalf, notwithstanding the use of "shall", "will", "must", or similar terms within this chapter.

**SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The City Council finds that the adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Title 14, Chapter 3 California Code of Regulations, Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the adoption of this ordinance will have a significant effect on the environment. The ordinance adopts standard codes in effect pursuant to state law and sets requirements for compliance. The adoption of this ordinance does not entitle new

development or any changes to the physical environment.

**SECTION 3. SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council of the City of Larkspur hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional on their face or as applied.

**SECTION 4. EFFECTIVE DATE**

This Ordinance shall become effective thirty (30) days from its adoption and shall be posted or published as required by State law.

**IT IS HEREBY CERTIFIED** that the foregoing ordinance was duly introduced at a regular meeting of the Larkspur City Council held on November 6, 2019, and thereafter passed and adopted by the Larkspur City Council on December 4, 2019, by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

\_\_\_\_\_  
Larry Chu, Acting Mayor

ATTEST:

\_\_\_\_\_  
Alison Foulis, City Clerk