

ORDINANCE NUMBER O-19728 (NEW SERIES)

DATE OF FINAL PASSAGE April 8, 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 5, ARTICLE 5, OF THE SAN DIEGO MUNICIPAL CODE, BY AMENDING DIVISION 1 BY AMENDING SECTION 55.0101, BY ADDING SECTION 55.0102, AMENDING SECTION 55.0103, AND ADDING SECTION 55.0104; BY ADDING A NEW DIVISION 2, SECTION 55.0201; BY ADDING A NEW DIVISION 3, SECTION 55.0301, AND 55.0304; BY ADDING A NEW DIVISION 4, SECTION 55.0401, INCORPORATING CURRENT SECTION 55.2501, SUBSECTION 2501.18; BY ADDING A NEW DIVISION 5, SECTION 55.0501, INCORPORATING CURRENT SECTION 55.0901, SUBSECTION 901.4.3, AND CURRENT SECTION 55.0903, SUBSECTION 903.2; BY ADDING A NEW DIVISION 6, SECTION 55.0601; BY ADDING A NEW DIVISION 7, SECTION 55.0701, BY ADDING A NEW DIVISION 8, SECTION 55.0801; BY AMENDING DIVISION 9, BY AMENDING SECTION 55.0901, BY REPEALING SECTION 55.0902, AND AMENDING SECTION 55.0903, INCORPORATING CURRENT SECTION 1003, SUBSECTIONS 1003.2.11, 1003.2.11.1, 1003.2.11.2, 1003.2.11.3, 1003.2.11.4, 1003.2.11.5, 1003.2.11.6, 1003.2.11.7, AND 1003.2.11.8; BY AMENDING DIVISION 10, BY AMENDING SECTION 55.1001; BY ADDING A NEW DIVISION 11, SECTION 55.1101; BY ADDING A NEW DIVISION 12, SECTION 55.1201; BY ADDING A NEW DIVISION 13, SECTION 55.1301; BY ADDING A NEW DIVISION 14, SECTION 55.1401, BY ADDING A NEW DIVISION 15, SECTION 55.1501; BY ADDING A NEW DIVISION 16, SECTION 55.1601; BY ADDING A NEW DIVISION 17, SECTION 55.1701; BY ADDING A NEW DIVISION 18, SECTION 55.1801; BY ADDING A NEW DIVISION 19, SECTION 55.1901; BY ADDING A NEW DIVISION 20, SECTION 55.2001; BY ADDING A NEW DIVISION 21, SECTION 55.2101; BY ADDING A NEW DIVISION 22, SECTION 55.2201; BY ADDING A NEW DIVISION 23, SECTION 55.2301; BY ADDING A NEW DIVISION 24, SECTION 55.2401; BY AMENDING DIVISION 25 BY AMENDING SECTION 55.2501; BY ADDING A NEW DIVISION 26, SECTION 55.2601; BY ADDING A NEW

DIVISION 27, SECTION 55.2701, INCORPORATING CURRENT SECTIONS 55.9102, 55.9103, 55.9104 AND 55.9105; BY ADDING A NEW DIVISION 28, SECTION 55.2801; BY ADDING A NEW DIVISION 29, SECTION 55.2901; BY ADDING A NEW DIVISION 30, SECTION 55.3001; BY ADDING A NEW DIVISION 31, SECTION 55.3101; BY ADDING A NEW DIVISION 32, SECTION 55.3201; BY ADDING A NEW DIVISION 33, SECTION 55.3301, INCORPORATING CURRENT SECTIONS 7701.1 THROUGH 7701.2.3, 7701.4, AND 7701.5; BY ADDING A NEW DIVISION 34, SECTION 55.3401; BY ADDING A NEW DIVISION 35, SECTION 55.3501; BY ADDING A NEW DIVISION 36, SECTION 55.3601; BY ADDING A NEW DIVISION 37, SECTION 55.3701; BY ADDING A NEW DIVISION 38, SECTION 55.3801; BY ADDING A NEW DIVISION 39, SECTION 55.3901; BY ADDING A NEW DIVISION 40, SECTION 55.4001; BY ADDING A NEW DIVISION 41, SECTION 55.4101; BY ADDING A NEW DIVISION 42, SECTION 55.4201; BY ADDING A NEW DIVISION 43, SECTION 55.4301; BY ADDING A NEW DIVISION 44, SECTION 55.4401; BY ADDING A NEW DIVISION 45, SECTION 55.4501; BY ADDING A NEW DIVISION 46, SECTION 55.4601; BY ADDING A NEW DIVISION 47, SECTION 55.4701; BY ADDING A NEW DIVISION 48, SECTIONS 55.4801, AND 5.4808; BY ADDING A NEW DIVISION 49, SECTION 55.4901; AND REPEALING DIVISIONS 77, 78, 81, 91, AND 92; AND ADOPTING THE 2007 CALIFORNIA FIRE CODE AND ASSOCIATED MUNICIPAL CODE AMENDMENTS.

WHEREAS, the California Fire Code, 2007 Edition, has been published by the California Building Standards Commission, and amended by the State Fire Marshal; and

WHEREAS, every three years the City of San Diego adopts the latest edition of the California Building Standards Code pursuant to Health and Safety Code section 17922; and

WHEREAS, the State adopted the 2006 International Fire Code as the basis for the 2007 California Fire Code; and

WHEREAS, Section 17958 of the California Health and Safety Code provides that the governing body of every city or county shall adopt ordinance or regulations imposing the same requirements as those contained in the California Building Standards Code; and

WHEREAS, Section 17958.5 and 17958.7 of the California Health and Safety Code provide that a city or county may make such changes or modifications to the requirements contained in the California Building Standards Code as it determines are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, certain amendments have been recommended by the City of San Diego Board of Building Appeals and Advisors and by the City of San Diego Planning Commission as changes or modifications in the requirements of the California Building Code which are reasonably necessary because of local climatic, geological or topographical conditions; and

Section 1. That the Council of the City of San Diego finds and declares in accordance with California Health and Safety Code section 17958.5 that the recommended amendments, additions, or deletions incorporate changes and modifications which are reasonably necessary because of the following local climatic, geological or topographical conditions;

1. Climatic

The City of San Diego experiences periods of high temperatures, accompanied by low humidity and high winds each year. These conditions create an environment in which the Fire Department commits large numbers of fire fighting resources to the control and extinguishment of wildland fires. During such periods, the limited available firefighting resources may have great difficulty controlling fires in structures. Years of drought and

San Diego's semi-arid natural environment have increased the combustibility of vegetation. The hot dry weather in combination with Santa Ana winds creates very dangerous conditions to the region including the City of San Diego.

2. Geological

The City of San Diego is situated near three major earthquake faults, each capable of generating quakes with a magnitude of 7.0. These faults are the Elsinore Fault, Northeast of the City; the Rose Canyon Fault which extends from La Jolla Cove, through Rose Canyon and into downtown San Diego; and the Coronado Banks Fault which extends in a Northwest/Southeast direction, just off coast. The City of San Diego is subject to seismic events. Seismic events do three things simultaneously: 1. They disrupt the water supply and damage sprinkler systems; 2. They cause ignitions from a variety of sources; 3. They overwhelm the emergency response system instantly and on a large-scale.

The most severe threat from earthquakes is damage to and the collapse of buildings and other structures due to ground movement. There is a distinct concern that fires may be caused by an earthquake because of damage to gas and power lines and the unavailability of sufficient water supply to control fires based on broken water mains.

3. Topographical

Access to vegetation is made difficult by hilly terrain, creating a delay for emergency personnel in the extinguishment of a fire area. The City of San Diego has over 900 linear miles of wildland urban interface, where back yards of homes meet the natural vegetation (coastal sage scrub and chaparral) in canyons; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 5, Article 5, Division 1, of the San Diego Municipal Code is amended by amending section 55.0101, by adding a new section 55.0102, by amending section 55.0103 and by adding section 55.0104, to read as follows:

Article 5: Fire Protection and Prevention

Division 1: Adoption of the 2007 California Fire Code

§ 55.0101 Adoption of the 2007 California Fire Code Purpose and Intent, and Administrative Provisions

- (a) Portions of the California Fire Code (2007 Edition) adopted. Except as otherwise provided in this Article, the California Fire Code (2007 Edition), which incorporates and amends the International Fire Code (2006 Edition), including adopted appendices, is hereby adopted by reference. A copy of the California Fire Code (2007 Edition), is on file in the office of the City Clerk as Document No. OO _____. The California Fire Code (2007 Edition), is referred to in this Article as the 2007 California Fire Code.
- (b) San Diego Fire Code. The document known as the San Diego Fire Code consists of the following documents:
 - (1) Those portions of the 2007 California Fire Code adopted by the City in section 55.0101 with changes as specified in this Article.

- (2) Sections 55.0101 through 55.4901 of Chapter 5, Article 5, of the San Diego Municipal Code.
 - (3) Applicable sections of the California Code of Regulations.
- (c) Relationship of the San Diego Municipal Code section numbers to the 2007 California Fire Code section numbers. Sections within the 2007 California Fire Code retain those same section numbers when referred to within the text of the San Diego Municipal Code. Thus, Section 901 of the 2007 California Fire Code will be cited as the 2007 California Fire Code section 901 within the text of the San Diego Municipal Code.

Where a section of the 2007 California Fire Code is adopted with changes, it is promulgated within the Municipal Code by using a numbering system to reflect both the Municipal Code numbering system and the 2007 California Fire Code numbering system. For example, section 901 of the 2007 California Fire Code is adopted with changes in San Diego Municipal Code section 55.0901. The first two digits to the left of the first decimal point are the chapter and article number of the San Diego Municipal Code. The two digits to the right of the first decimal point represent the San Diego Municipal Code's division number. The last four digits reflect the numbering system of the 2007 California Fire Code. A zero (0) after the decimal point is a filler to accommodate the San Diego Municipal Code numbering system and is added when the section number in the 2007 California Fire Code is less than four digits.

The Municipal Code numbering system reflects the numbering system of the 2007 California Fire Code excluding the chapter and article numbers to the left of the decimal point and when appropriate, the utilization of a filler zero (0). Consequently, with these modifications, the numbering in the San Diego Municipal Code sections 55.0101 through 55.4701 corresponds with the numbering system change in the 2007 California Fire Code.

- (d) Definitions. Whenever the following terms appear within the text of the 2007 California Fire Code, they shall have the following definitions:

Fire Code Official means the Fire Chief of the City of San Diego.

Municipality or jurisdiction means the City of San Diego.

- (e) Prospective and Retrospective Application. Unless specifically stating that they may be applied prospectively only, provisions of the San Diego Fire Code may be retrospectively applied in accordance with the 2007 California Fire Code, Appendix Chapter 1, Section 102.
- (f) Effective Date. Unless otherwise stated in a specific San Diego Municipal Code section or 2007 California Fire Code section adopted by the City, the effective date of the 2007 California Fire Code shall be January 1, 2008.
- (g) Reference to California Building Code. Any reference within the San Diego Fire Code to the “C.B.C or California Building Code” shall refer to

those provisions of the California Building Code as adopted by Chapter 14 of the San Diego Municipal Code.

- (h) Portions of the 2007 California Fire Code not adopted. The following sections of the 2007 California Fire Code are not adopted:

APPENDIX CHAPTER 1, Section 101.1

APPENDIX CHAPTER 1, Section 108

APPENDIX CHAPTER 1, Section 111.4

APPENDIX A

APPENDIX D

APPENDIX E

APPENDIX F

APPENDIX G

304.1.2

§ 55.0102 Modifications to the 2007 California Fire Code Adopted by the City of San Diego

The following sections or sub-sections of the 2007 California Fire Code have been modified by the City of San Diego:

- (a) Chapter 3, Section 304.1.2, Vegetation.
- (b) Appendix Chapter 1, Section 108, Board of Appeals.
- (c) Chapter 5, Section 508.5.1, Where required.
- (d) Chapter 9, Section 901.7, Systems out of service.

§ 55.0103 Adoption of Appendices to the 2007 California Fire Code

The following Appendix Chapters of the 2007 California Fire Code are adopted by the City of San Diego:

- (a) Appendix Chapter 1, Administration.
- (b) Appendix Chapter 4, Special Detailed Requirements Based On Use And Occupancy.
- (c) Appendix B, Fire Flow Requirements for Buildings.
- (d) Appendix C, Fire Hydrant Locations and Distribution.
- (e) Appendix H, Hazardous Materials Management Plans and Hazardous
- (f) Materials Inventory Statements, and Figure A-H-1 Sample Format.

§ 55.0104 2007 California Fire Code, Chapter 1 - General Code Provisions

- (a) 101.1 Title through 114 Reserved. Sections 101.1 through 114 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 2. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 2, section 55.0201; by adding a new Division 3, sections 55.0301 and 55.0304; to read as follows:

Article 5: Fire Protection and Prevention

Division 2:

§ 55.0201 Definitions

- (a) 201.1 Scope through 202 General Definitions. Sections 201.1 through 202 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 3:

§ 55.0301 General Precautions Against Fire

- (a) 301.1 Scope through 304.1.1 Waste material. Sections 301.1 through 304.1.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

§ 55.0304 Combustible Waste Material

- (a) 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 the urban-wildland interface areas shall be in accordance with the *City of San Diego Land Development Code*.

- (b) 304.1.3 Space underneath seats through 315.3.2 Height. Sections 301.1.3 through 315.3.2 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 3. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new by adding a new Division 4, section 55.0401, incorporating current section 55.2501, subsection 2501.18, to read as follows:

Article 5: Fire Protection and Prevention

Division 4:

§ 55.0401 Emergency Planning and Preparedness

- (a) 401.1 Scope through 403.1.1 Duties. Sections 401.1 through 403.1.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).
- (b) 403.2 Public safety plan through 408.11.3 Maintenance. Sections 401.1 through 408.11.3 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

§ 55.0403 **Standby Fire Department Personnel**

- (a) 403.1.2 Standby Fire Department Personnel. When, in the opinion of the *Fire Code Official*, it is essential for public safety in a place of assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved, to be on duty at such place.

Such individuals shall be subject to the *Fire Code Official's* orders at all times when so employed and shall be in uniform and remain on duty during the times such places are open to the public, or when such activity is being conducted. Before each performance or the start of such activity, such individuals shall (1) inspect the required fire appliances provided to see that they are in proper place and in good working order; (2) keep diligent watch for fires during the time such place is open to the public or such activity is being conducted; and (3) take prompt measures for extinguishment of fires that may occur.

Such individuals shall not be required or permitted, while on duty, to perform any other duties than those herein specified.

The City shall charge the permittee the cost of such services. The cost shall be computed by the Fire Department using accepted cost accounting methods including but not limited to the cost of salary, fringe benefits and general overhead. Time cards of the assigned personnel shall be submitted

by the *Fire Code Official* to the Auditor and Comptroller and shall be prima facie evidence of the expended work-hours. In no event shall a permittee be charged less than the cost of two work-hours for each standby qualified person.

Section 4. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new by adding a new Division 5, section 55.0501, incorporating the current section 55.0901 subsections 901.4.3 and current section 55.0903 subsection 903.2, to read as follows:

Article 5: Fire Protection and Prevention

Division 5:

§ 55.0501 Fire Service Features

- (a) 501.1 Scope through 508.5.6 Physical Protection. Sections 501.1 through 508.5.6 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).
- (b) 508.5.7. Fire protection equipment and fire hydrants shall be clearly identified in a manner approved by the *Fire Code Official* to prevent obstruction by parking and other obstructions. When required by the *Fire Code Official*, hydrant locations shall be identified by the installation of reflective bluecolored markers. Such markers shall be affixed to the roadway surface, approximately centered between curbs, and at a right angle to the hydrant.

- (c) 508.5.1. Where Required. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are constructed or moved into or within the jurisdiction after August 18, 1999. When any portion of the facility or building protected is in excess of 300 feet (91440 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the *Fire Code Official*.

Section 5. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new by adding a new Division 6, section 55.0601; by adding a new Division 7, section 55.0701; and by adding a new Division 8, section 55.0801, to read as follows:

Article 5: Fire Protection and Prevention

Division 6:

§55.0601 Building Services and Systems

- (a) 601.1 Scope through 609.2 Where required. Sections 601.1 through 609.2 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 7:

§55.0701 Fire-Resistance-Rated Construction

- (a) 701.1 Scope through 704.2 Opening Protectives. Sections 701.1 through 704.2 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 8:

§55.0801 Interior Finish, Decorative Materials and Furnishings

- (a) 801.1 Scope through 808.2 Signs. Sections 801.1 through 808.2 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 6. That Chapter 5, Article 5, Division 9, of the San Diego Municipal Code is amended by amending Section 55.0901, repealing Section 55.0902, and amending Section 55.0903, and incorporating and amending current Section 1003, subsections 1003.2.11, 103.2.11.1, 1003.2.11.2, 1003.2.11.3, 103.2.11.4, 1003.2.11.5, 1003.2.11.6, 1003.2.11.7, 1003.2.11.8, to read as follows:

§ 55.0901 Fire Protection Systems

- (a) 901.1 Scope through 901.6.2.1 Records information. 901.6.2.1 through 903.6.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).
- (b) 901.7 Problematic Systems and Systems out of service. Where a required fire protection system is out of service for any reason, or experiences an excessive number of accidental activations, the fire department and *Fire Code Official* shall be notified immediately and, where required by the *Fire Code Official*, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.
- (c) 901.7.1 Impairment coordinator through 903.6.1 Pyroxylin Plastics. Sections 901.7.1 through 903.6.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

§ 55.0903 Automatic Sprinkler Systems – Existing High-Rise Buildings

- (a) [Reserved.]
- (b) [Reserved.]
- (c) **903.6.2.1 Purpose and Intent.** The Council hereby finds as a matter directly affecting public safety and the life safety of occupants of high-rise buildings and the public safety personnel involved in fire suppression

activities in high-rise buildings that it is necessary to install fire sprinkler systems in all existing high-rise buildings, which were previously exempt from such installation. Those buildings in which such sprinkler systems have been installed under the provisions of the 2007 California Building Code Section 3412 are exempt.

(d) **903.6.2.2 Definitions.** For purposes of this Section, the following terms have the following definitions:

(1) *High-rise building* means any building or structure of any type of construction or occupancy having floors used for human occupancy located more than seventy-five (75) feet above the lowest floor level having building access.

High-rise buildings do not include:

- (A) Hospitals as defined in Health and Safety Code section 1250.
- (B) Buildings used exclusively as open parking garages.
- (C) Buildings where all floors above the seventy-five (75) foot level are used exclusively as open parking garage and are located above all other floors used for human occupancy.
- (D) Buildings such as power plants, look-out towers, steeples, green houses and similar structures with noncontinuous

human occupancy as may be determined by the *Fire Code Official*.

(E) Any buildings or structures owned by any government agency other than the City of San Diego.

(F) R-1 occupancies as defined in this San Diego Fire Code, except hotels and motels.

(2) *Building access* means an exterior door opening that conforms to all of the following: (1) is suitable and available for fire department use; (2) is located not more than two feet above the adjacent ground level; (3) leads to a space, room or area having foot traffic communication capability with the remainder of the building; and (4) is designed to permit penetration through the use of fire department forcible-entry tools and equipment, unless other approved arrangements have been made with the *Fire Code Official*.

(3) *Owner* means every person who, or entity which, alone, jointly or severally with others has legal title to any building or structure or has the legal right to structurally alter or modify such building or structure.

(e) **903.6.2.3 Applicability.** Except as provided in this section, the provisions of section 55.0903 relating to installation of automatic fire sprinkler

systems are hereby made applicable to all existing high-rise buildings, as defined in section 55.0903(d).

- (f) **903.6.2.4 Fire Sprinkler System.** Automatic fire sprinkler systems required under section 903.6.2 of the 2007 California Fire Code shall be installed in accordance with NFPA 13 as adopted by State Fire Marshal, with the express provision that any later standard that imposes more stringent fire and life safety requirement shall apply at the time of installation.

- (g) **903.6.2.5 Schedule of Implementation.** Each owner of a high-rise building, as defined in section 55.0903(d) shall install an approved automatic fire sprinkler system in each high-rise building in accordance with the following schedule:
 - (1) By January 1, 1990, the building owner shall submit a work plan to the *Fire Code Official* for approval. The work plan shall include technical sprinkler drawings and a time table for complete installation in accordance with section 903.6.2.5 of the 2007 California Fire Code. The plan shall detail a schedule for completing the fire sprinkler system installation, giving priority to those floors in excess of seventy-five (75) feet above the lowest floor level having building access. The *Fire Code Official* is authorized to modify the schedule in this section to accommodate

long-term leases; once approved, however, the schedule and plans may not be further modified.

- (2) By January 1, 1993, one third (1/3) gross square footage of the structure shall be fire sprinklered.
- (3) By January 1, 1996, two-thirds (2/3) gross square footage of the structure shall be fire sprinklered.
- (4) January 1, 1999, the entire gross square footage of the structure shall be fire sprinklered.
- (5) The owner of a high-rise building or structure that is subject to the provisions of this section, and that contains significant quantities of asbestos that will interfere with such installations shall have the option of instead equipping the entire gross square footage of the building or structure with an automatic fire sprinkler system by January 1, 1996; provided, however, that under this option, the owner of the building or structure shall be deemed to have waived any further extension of time for compliance. In order to be eligible for this option, the owner must establish the presence of asbestos in the affected building, that it is impossible or impractical to complete the work in increments, with supporting rationale, and that the work plan submitted clearly demonstrates that all tenants will be vacated and all work will be completed within the specified time frame.

For purposes of this section, the gross square footage of a building or structure includes the sum total of all the floor areas for all floor levels, basements and sub-basements, measured from the exterior walls, irrespective of the existence of interior fire resistive walls, floors and ceilings.

Notwithstanding the compliance schedule above, any owner of any high-rise building or structure subject to the provisions of this section, which contains significant quantities of asbestos, who agrees in writing prior to January 1, 1996, to demolish the subject building, shall be exempt from compliance schedule set forth in this section.

The written agreement shall constitute a covenant running with the land. Such agreement shall be recorded in the office of the County Recorder, San Diego County. The recordable agreement from (demolition agreement) shall be provided by the City.

- (h) **903.6.2.6 Waiver of Other Provisions.** The *Fire Code Official* or Building Official is authorized to waive or modify any or all of the following provisions of the 2007 California Fire Code or the 2007 California Building Code as adopted by the City in the San Diego Municipal Code when requiring the retrofitting of existing high-rise buildings with automatic fire sprinkler systems pursuant to this section underground water storage tank will not be required; (2) fire pump size or

installation can be reduced or eliminated, depending upon the adequacy of water pressure available to the building; (3) existing dead end corridors without intervening doors may be permitted; (4) existing ventilation shafts may be permitted; and (5) existing transoms may be allowed.

- (i) **903.6.2.7 Appeal and Modification provisions.** The owner of a high-rise building covered under this section may appeal a decision made by the *Fire Code Official* under this section. An appeal shall be made to the City Manager. The Board of Appeals and Advisors shall serve as the hearing body for appeals under this section. For these purposes, the Board of Appeals may (1) recommend a variance from any provisions of this section; (2) the suitability of alternate materials and methods of sprinkler installation; and (3) may provide reasonable interpretations of this section, so long as such interpretations do not conflict with the purpose, intent and general objective of this section nor extend the time for compliance established in this section.

The Board of Appeals may, in addition to any other considerations it deems appropriate, examine the architectural or historical significance of the building or structure. The City Manager shall thereafter consider the recommendations of the Board of Appeals and issue a final decision. The City Manager's decision shall constitute the owner's exhaustion of administrative remedies.

(j) **903.6.2.8 Violations.**

- (1) It is unlawful for any owner of a high-rise building to allow any person to occupy any portion of a high-rise building subject to the provisions of this section except where: (1) the *Fire Code Official* or City Manager has, in writing, authorized the occupancy; or (2) the owner is complying with the implementation schedule set forth in this section; or (3) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire sprinkler system; (4) the owner of the high-rise building agreed in writing prior to January 1, 2004 to demolish the high-rise building by January 1, 2000.
- (2) It is unlawful for any owner of a high-rise building to allow any person to occupy any portion of a high-rise building after January 1, 2009, where occupancy has been authorized pursuant to this section, except where: (1) the occupant is performing minimal maintenance to prevent the high-rise building from being in an unsafe condition; or (2) the occupant is performing construction or maintenance to the building related to the installation or maintenance of an automatic fire sprinkler system; or (3) an approved fire sprinkler system has been completely installed.

- (k) 904.1 General through 914.11.2 New sound stages. Sections 904.1 through 914.11.2 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 7. That Chapter 5, Article 5, Division 10, of the San Diego Municipal Code is amended by amending Section 55.1001 to read as follows:

§ 55.1001 Means of Egress

1001.1 Scope through 1028.7 Testing and Maintenance. Sections 1001.1 through 1028.7 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 8. That Chapter 5, Article 5, of the San Diego Municipal Code is amended by adding a new Division 11, section 55.1101; by adding a new Division 12, section 55.1201; by adding a new Division 13, section 55.1301, by adding a new Division 14, section 55.1401; by adding a new Division 15, section 55.1501; by adding a new Division 16, section 55.1601; by adding a new Division 17, section 55.1701; by adding a new Division 18, section 55.1801; by adding a new Division 19, section 55.1901; by adding a new Division 20, section 55.2001; by adding a new Division 21, section 55.2101; by adding a new Division 22, section 55.2201; by adding a new Division 23, section 55.2301; and by adding a new Division 24, section 55.2401, to read as follows:

Article 5: Fire Protection and Prevention

Division 11:

§ 55.1101 Aviation Facilities

- (a) 1101.1 Scope through 1107.8 Federal Approval. Sections 1101.1 through 1107.8 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 12:

§ 55.1201 Dry Cleaning

- (a) 1201.1 Scope through 1208.4 Portable Fire Extinguishers. Sections 1201.1 through 1208.4 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 13:

§ 55.1301 Combustible Dust-Producing Operations

- (a) 1301.1 Scope through 1304.1 Standards. Sections 1301.1 through 1304.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 14:

§ 55.1401 Fire Safety During Construction and Demolition

- (a) 1401.1 Scope through 1417.3 Fire Extinguishers for Roofing Operations. Sections 1401.1 through 1417.3 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 15:

§ 55.1501 Flammable Finishes

- (a) 1501.1 Scope through 1510.5 Ventilation. Sections 1501.1 through 1510.5 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 16:

§ 55.1601 Fruit and Crop Ripening

- (a) 1601.1 Scope through 1607.1 When Required. Sections 1601.1 through 1607.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 17:

§ 55.1701 Fumigation and Thermal Insecticidal Fogging

- (a) 1701.1 Scope through 1703.7 Flammable fumigants restricted. Sections 1701.1 through 1703.7 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 18:

§ 55.1801 Semiconductor Fabrication Facilities

- (a) 1801.1 Scope through 1805.3.4.1 Identification. Sections 1801.1 through 1805.3.4.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 19:

§ 55.1901 Lumber Yards and Woodworking Facilities

- (a) 1901.1 Scope through 1909.5 Fire Protection. Sections 1901.1 through 1909.5 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 20:

§ 55.2001 Manufacture of Organic Coatings

- (a) 2001.1 Scope through 2009.6 Finished Products. Sections 2001.1 through 2009.6 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 21:

§ 55.2101 Industrial Ovens

- (a) 2101.1 Scope through 2107.4 Equipment Maintenance. Sections 2101.1 through 2107.4 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 22:

§ 55.2201 Motor Fuel-Dispensing Facilities and Repair Garages

- (a) 2201.1 Scope through 2211.8.3.1 System Purge Required. Sections 2201.1 through 2211.8.3.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 23:

§ 55.2301 High-Piled Combustible Storage

- (a) 2301.1 Scope through 2310.1 General. Sections 2301.1 through 2310.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Article 5: Fire Protection and Prevention

Division 24:

§ 55.2401 Tents, Canopies and Other Membrane Structures

- (a) 2401.1 Scope through 2404.23 Obstruction. Sections 2401.1 through 2404.23 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 9. That Chapter 5, Article 5, Division 25, of the San Diego Municipal Code is amended by amending Section 55.2501, to read as follows:

Article 5: Fire Protection and Prevention

Division 25: Places

§ 55.2501 Tire Rebuilding and Tire Storage

- (a) 2501.1 Scope through 2509.1 Pile Dimensions. Sections 2501.1 through 2509.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 10. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 26, section 55.2601 to read as follows:

Article 5: Fire Protection and Prevention

Division 26:

§ 55.2601 Welding and Other Hot Work

- (a) 2601.1 Scope through 2609.7 Inspection. Sections 2601.1 through 2609.7 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 11. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding Division 27, section 55.2701 and incorporating current sections 55.9102, 55.9103, 55.9104, and 55.9105 to read as follows:

Article 5: Fire Protection and Prevention

Division 27:

§ 55.2701 Hazardous Materials-General Provisions

- (a) 2701.1 Scope through 2701.1.1 Waiver. Sections 2701.1 through 2701.1.1 of the 2007 California Fire Code have been adopted without changed pursuant to section 55.0101(a).
- (b) 2701.1.2 Combustible Explosive and Dangerous Materials-CEDMAT Program

Legislative Declaration and Findings

- (1) The Council of the City of San Diego finds that the advances in technology and the increasing presence and utilization of industry useful, but otherwise combustible, explosive or dangerous material within the commercial sector represent an increased hazard to the community and emergency response personnel during emergency situations, particularly during fire suppression activities. The increasing threat to human and environmental safety requires careful planning to maximize effective emergency response. The Council further finds that an expanded fire inspection program is appropriate in order to develop plans for the effective management of fire and related emergency incidents involving materials that pose an otherwise unusual or extra hazard to public safety.

- (2) To accomplish these objectives, the City Council hereby establishes the Combustible, Explosive and Dangerous Material (CEDMAT) Inspection Program. The program shall be administered by the *Fire Code Official* and such assistance as he may designate, under the authority and provisions of the Uniform Fire Code, as hereinbefore adopted.
- (3) Definition. The term “Combustible, Explosive and Dangerous Material” or its acronym “CEDMAT” shall refer to all those substances as defined by the California Department of Health Services in Title 22, California Code of Regulations section 66680, or any such successor list as may be adopted in the future by the California Department of Health Services and hazardous materials otherwise generically or specifically described in the 2007 California Fire Code as herein adopted and amended.

(c) **Purpose of CEDMAT Program**

The purpose of the CEDMAT Inspection Program is to:

- (1) Inspect occupancies, as defined in the Fire Code, within the City of San Diego, to determine the type and location of combustible, explosive and dangerous materials which may be present and the scope of risk presented by the presence of such materials.

- (2) Create CEDMAT action programs for the optimum containment, suppression and management of incendiary and related emergency response incidents involving such occupancies and materials; and
- (3) Compile and analyze information relative to such materials and occupancies in fulfillment of the purposes set forth in subparagraphs (a) and (b) herein.

(d) **CEDMAT Inspections**

The *Fire Code Official* shall cause periodic CEDMAT inspections to be made of occupancies, such as buildings, structures and installations, within the City of San Diego and determine whether combustible, explosive or otherwise dangerous material exists.

Whenever necessary to make an inspection to enforce any of the provisions of this section, the Chief or his authorized representative may enter an occupancy at all reasonable times and after reasonable notice to inspect the same, provided that if such building or premises be occupied, he shall first present proper credentials to the occupants and request entry. If such building or premises be unoccupied, a reasonable effort shall be made to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, an inspection warrant pursuant to California Code of Civil Procedure section 1822.50 et seq., may be sought to authorize entry without the consent of owner or other persons having charge or control of the building or premises.

During any inspection, the Chief or his authorized representative may request the following information from the owner, or other persons having charge or control of any building, structure or installation: (1) a listing of any combustible, explosive or dangerous material, as defined in section 2701.2 of the 2007 California Fire Code by either its chemical or common name or by description of the relevant chemical properties which render it combustible, explosive or dangerous; (2) a description of where such combustible, explosive or dangerous materials are normally located in the building, structure or installation.

The owner, or other persons having charge or control of the premises shall be allowed 15 days in which to provide information requested under this section.

It shall be unlawful for the owner, or other persons having charge or control of the premises to refuse to provide information requested pursuant to this section, to provide false information, or to refuse entry to the *Fire Code Official* or his authorized representative when presented with a legally issued inspection warrant after notice is provided as required by law.

(e) **CEDMAT Fees**

It is the policy of the City of San Diego to impose reasonable fees for full cost recovery for overhead and salaries of Fire Department personnel performing inspection services of occupancies storing, handling or

processing combustible, explosive or dangerous material. The fees shall be determined by the *Fire Code Official* after consultation with an advisory group appointed by the City Manager. The advisory group shall include representatives from the affected industrial sector. The fees shall be promulgated in the City Clerk's Composite Rate Book. Such fees shall be exclusive of any fees for permits required under any section of the Municipal Code.

(f) **Non-public Record Status and Disclosure Requirements Concerning CEDMAT Inspections**

- (1) Records of inspection, inventories, information and action plans developed in connection with the CEDMAT Inspection Program are for the exclusive use of the *Fire Code Official* and his designees. Such records shall be further subject to all statutory protection and exemption against public disclosure otherwise allowed by law. The City Council finds and hereby declares that this information, were it accessible to the general public, may potentially be used to sabotage, destroy or otherwise damage industrial facilities. The Council further declares, pursuant to Government Code section 6255, that the public interest served by not making such information public clearly outweighs the public interest served by disclosure.

- (2) If a request or other action is made seeking the release of information collected under the CEDMAT Inspection Program, the *Fire Code Official* or his designee shall, to the extent practicable, notify the owner, operator or manager of any occupancy which supplied such information.

2701.2 Material Classification through 2705.4.4 Emergency Alarm. Sections 2701.2 through 2705.4.4 of the California Fire Code have been adopted without change pursuant to Section 55.0101(a).

Section 12. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 28, section 55.2801 to read as follows:

Article 5: Fire Protection and Prevention

Division 28:

§ 55.2801 Aerosols

- (a) 2801.1 Scope through 2807.1 General. Sections 2801.1 through 2807.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 13 That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 29, section 55.2901 to read as follows:

Article 5: Fire Protection and Prevention

Division 29:

§ 55.2901 Combustible Fibers

- (a) 2901.1 Scope through 2905.2 Special Baling Conditions. Sections 2901.1 through 2905.2 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 14. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 30, section 55.3001 to read as follows:

Article 5: Fire Protection and Prevention

Division 30:

§ 55.3001 Compressed Gases

- (a) 3001.1 Scope through 3007.2 Ventilation. Sections 3001.1 through 3007.2 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 15. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 31, section 55.3101 to read as follows:

Article 5: Fire Protection and Prevention

Division 31:

§ 55.3101 Corrosive Materials

- (a) 3101.1 Scope through 3105.2.1 Distance from Use to Exposures. Sections 3101.1 through 3105.2.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 16. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 32, section 55.3201 to read as follows:

Article 5: Fire Protection and Prevention

Division 32:

§ 55.3201 Cryogenic Fluids

- (a) 3201.1 Scope through 3205.5.2 Closed containers. Sections 3201.1 through 3205.5.2 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 17. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 33, section 55.3301, and incorporating current sections 7701.1 through 7701.2.3, 7701.4, and 7701.5 to read as follows:

Article 5: Fire Protection and Prevention

Division 33

§ 55.3301 Explosives and Fireworks

- (a) 3301.1 Scope through 3301.2.3 Permit restrictions. Sections 3301.1 through 3301.2.3 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).
- (b) 3301.2.4 Financial responsibility. Before a permit is issued pursuant to this section, the applicant shall file with the City a \$1 million combined single limit comprehensive general liability insurance policy, naming The City of San Diego as an additional insured, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit. The *Fire Code Official* may specify a greater or lesser amount when, in the *Fire Code Official's* opinion, application of recognized risk management standards and conditions at the location requires it. Public agencies shall be exempt from the requirement of the issuing of an insurance policy naming The City of San Diego as an additional insured.
- (c) 3301.3 Prohibited explosives through 3308.10 Disposal. Sections 3301.3 through 3308.10 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 18. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 34, section 55.3401 to read as follows:

Article 5: Fire Protection and Prevention

Division 34:

§ 55.3401 Flammable and Combustible Liquids

- (a) 3401.1 Scope through 3406.8.5 Overfill protection. Sections 3401.1 through 3406.8.5 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 19. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 35, section 55.3501 to read as follows:

Article 5: Fire Protection and Prevention

Division 35:

§ 55.3501 Flammable Gases

- (a) 3501.1 Scope through 3505.1 General. Sections 3501.1 through 3505.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 20. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 36, section 55.3601 to read as follows:

Article 5: Fire Protection and Prevention

Division 36:

§55.3601 Flammable Solids

- (a) 3601.1 Scope through 3606.5.8 Collection of Chips, Turnings and Fines. Sections 3601.1 through 3606.5.8 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 21. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 37, section 55.3701 to read as follows:

Article 5: Fire Protection and Prevention

Division 37:

§55.3701 Highly Toxic and Toxic Materials

- (a) 3701.1 Scope through 3705.6 Manual Shutdown. Sections 3701.1 through 3705.6 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 22. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 38, section 55.3801 to read as follows:

Article 5: Fire Protection and Prevention

Division 38:

§ 55.3801 Liquefied Petroleum Gases

- (a) 3801.1 Scope through 3811.3 Garaging. Sections 3801.1 through 3811.3 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 23. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 39, section 55.3901 to read as follows:

Article 5: Fire Protection and Prevention

Division 39:

§55.3901 Organic Peroxides

- (a) 3901.1 Scope through 3905.1 General. Sections 3901.1 through 3905.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 24. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 40, section 55.4001 to read as follows:

Article 5: Fire Protection and Prevention

Division 40:

§ 55.4001 Oxidizers

- (a) 4001.1 Scope through 4005.1 Scope. Sections 4001.1 through 4005.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 25. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 41, section 55.4101 to read as follows:

Article 5: Fire Protection and Prevention

Division 41:

§ 55.4101 Pyrophoric Materials

- (a) 4101.1 Scope through 4106.5.1 Outdoor Use Weather Protection. Sections 4101.1 through 4106.5.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 26. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 42, section 55.4201 to read as follows:

Article 5: Fire Protection and Prevention

Division 42:

§ 55.4201 Pyroxylin (Cellulose Nitrate) Plastics

- (a) 4201.1 Scope through 4204.4 Heating. Sections 4201.1 through 4204.4 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 27. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 43, section 55.4301 to read as follows:

Article 5: Fire Protection and Prevention

Division 43:

§ 55.4301 Unstable (Reactive) Materials

- (a) 4301.1 Scope through 4305.1 General. Sections 4301.1 through 4305.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 28. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 44, section 55.4401 to read as follows:

Article 5: Fire Protection and Prevention

Division 44:

§ 55.4401 Water-Reactive Solids and Liquids

- (a) 4401.1 Scope through 4405.1 General. Sections 4401.1 through 4405.1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 29. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 45, section 55.4501 to read as follows:

Article 5: Fire Protection and Prevention

Division 45:

§ 55.4501 Referenced Standards

- (a) Chapter 45 Referenced Standards. Chapter 45 of the 2007 California Fire Code has been adopted without change pursuant to section 55.0101(a).

Section 30. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 46, section 55.4601 to read as follows:

Article 5: Fire Protection and Prevention

Division 46:

§ 55.4601 Motion Picture and Television Production Studio Sound Stages, Approved Production Facilities, and Production Locations

- (a) 4601.1 Scope through 4611.15 Buildings Without Fire Protection Systems. Sections 4601.1 through 4611.15 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 31. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 47, section 55.4701 to read as follows:

Article 5: Fire Protection and Prevention

Division 47:

§ 55.4701 Requirements for Wildland-Urban Interface Fire Areas

- (a) 4701.1 Scope through 4713 Ancillary buildings and Structures. Sections 4701.1 through 4713 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 32. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 48, sections 55.4801, and 55.4808 to read as follows:

Article 5: Fire Protection and Prevention

Division 48:

§ 55.4801 Administration

- (a) 101.2 Scope through 107.6 Overcrowding. Sections 101.2 through 107.6 of Appendix Chapter 1, “Administration” of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).
- (b) 109.1 Unlawful acts through 111.3 Emergencies. Sections 109.1 through 111.3 of Appendix Chapter 1 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

§ 55.4808 Board of Building Appeals and Advisors

- (a) 108. Board of Appeals. When a question involving the interpretation of the intent and purpose of any provisions of the San Diego Fire Code or the suitability of alternate materials and types of construction is presented to the *Fire Code Official*, the *Fire Code Official* may request the Board of Building Appeals and Advisors to investigate such matters under the procedures established in section 111.0207 of the San Diego Municipal Code regarding building inspection. The request for Board action may come from any citizen that is affected by the San Diego Fire Code.

Section 33. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by adding a new Division 49, section 55.4901 to read as follows:

Article 5: Fire Protection and Prevention

Division 49:

§ 55.4901 Special Detailed Requirements Based on Used and Occupancy

- (a) Appendix Chapter 4 [B] 425.1 Scope through [B] 425.9 Request for alternate means of protection for facilities housing bedridden clients. Sections [B] 425.1 through [B] 425.9 of the 2007 California Fire Code have been adopted without change pursuant to section 55.0101(a).

Section 34. That Chapter 5, Article 5 of the San Diego Municipal Code is amended by repealing Divisions 77, 78, 81, 91, and 92.

Section 35. All of the provisions of the San Diego Municipal Code adopted by the City of San Diego that are in conflict with the provisions of this ordinance are hereby repealed.

Section 36. That a full reading of this ordinance is dispensed with prior to passage since a written copy was made available to the City Council and the public prior to the day of passage.

Section 37. This ordinance shall take effect and be in force on the thirtieth day from
and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By _____
Rachel Lipsky
Deputy City Attorney

RL:pev
02/07/08
02/25/08 COR.COPY
03/03/08 COR.COPY2
Or.Dept:DSD
O-2008-98
MMS #5831

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor