



The City of San Diego
Fire-Rescue Department

Proposed Local Amendments 2022 California Fire Code

October 15, 2022

The 2022 edition of the California Building Standards Code (CBSC), Title 24 California Code of Regulations, Part 9, has been adopted by the State of California and will be effective on a statewide basis on January 1, 2023. The City of San Diego proposes to adopt by reference part 9 of the CBSC as follows to publish and adopt local amendments to those parts.

Fire Code Regulations: The 2022 California Fire Code (CFC) is Part 9 of Title 24 in the California Code of Regulations and is based on the 2021 International Fire Code. Local amendments are published in the Fire Protection and Prevention Regulations, Chapter 5, Article 11, Division 1-83 of the Municipal Code.

The local amendments as proposed are necessary due to the following reasons:

1. Comply with enacted State legislation.
2. Comply with the California Building Standards Code.
3. Local amendments necessary due to local climatic, topographical or geological conditions.
4. Repeal of existing local regulations that have become redundant due to adoption into the model code or CBSC.

The local review process will include the following:

1. Review by the Technical Advisory Committee on October 26, 2022.
2. Review by affected industry stakeholder groups in November 2022 via the Community Risk Reduction web site and direct outreach.
3. Review and approval by the City Council expected January 2023. The effective date of the local amendments, shall be effective after final passage and filing with the California Building Standards Commission.

For questions or comments regarding the proposed amendments please contact Daniel Hypes, Assistant Fire Marshal, at 619-533-4427 and via e-mail at dhypes@sandiego.gov.

Section Headings

Section headings that are highlighted in red text indicate newly proposed local amendments or additions to the 2022 San Diego Fire Code.

Section headings in black text indicate existing local amendments or additions adopted by previous ordinance being proposed for adoption to the 2022 CFC.

Text

Text has been provided to distinguish between the CFC language and the proposed language with local amendments and additions. CFC language that has been removed is identified with ~~strikeout~~ and proposed additions or amendments to the CFC language are identified with underline.

2022 California Fire Code Amendments

CFC Section 111.1 Board of Appeals Established - Amended

~~In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.~~

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 (Board) 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 affected by the San Diego Fire Code.

Reason: The Board of Building Appeals and Advisors has already been established pursuant to Section 111.0207 of the Municipal Code and reviews requested code deviations, as well as interpretations from/for the San Diego Fire Code; the Building, Electrical, Plumbing, Mechanical, Residential Building, Green Building, and Existing Building Regulations. The Board evaluates alternatives proposed and advises the Building Official and Fire Chief as to suitability and equivalence to required building standards in the regulations.

CFC Section 202 General Definitions - Amended (NEW)

~~FIRE CODE OFFICIAL. The Fire-Rescue Chief or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative of the City of San Diego, or any member of the Fire-Rescue Department designated by the Fire-Rescue Chief to carry out the provisions of this Article.~~

JURISDICTION. The governmental unit that has adopted this code City of San Diego
WILDLAND-URBAN INTERFACE FIRE AREA. A geographical area identified by the state 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 City of San Diego Fire-Rescue Department to be at
significant risk from wildfires.

Reason: These definitions provide clarification of terms found within the California Fire Code.

CFC Section 202 General Definitions – Added (NEW)

FIRE DEPARTMENT STANDBY PERSONNEL. City of San Diego Fire-Rescue Department
Personnel who are employed to prevent and mitigate any hazards associated with large
public assemblies, events or activities where their presence has been deemed necessary by
the Fire Code Official.

Reason: This definition was needed to clarify that Fire Department Standby Personnel are members of the San Diego Fire-Rescue Department as opposed to Fire Watch Personnel who may be employed by a private third party.

CFC Section 304.1.2 Vegetation – Amended

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 wildland-urban interface areas shall be in accordance
with California Fire Code Chapter 49 and the City of San Diego Land Development Code.

Reason: The California Fire Code Chapter 49 contains brush management and defensible
space requirements pursuant to other state laws and regulations including the public
Resources Code, Government Code, Title 19 and Title 14. The City of San Diego has developed
its own brush management requirements which are contained in the Land Development

Code section 142.0412.

CFC Section 304.1.2.1 Clearance of Brush and Vegetative Growth from Roadways -Added

The Fire Code Official is authorized to require areas within 10 feet (3048 mm) on each side of portions of fire apparatus access roads and driveways to be cleared of non-fire-resistive vegetation growth.

Exception: Single specimens of tress, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants used for ground cover, provided they do not form a means of readily transmitting fire.

Reason: Additional clearance of brush or other combustible vegetation adjacent to the roadway provides a safer egress route for residents in the event of wildfire. Additionally, it creates safer and more tenable routes for responding firefighters to access communities and perform suppression operations.

CFC Section 304.1.2.2 Waste Material – Added

Waste material shall not be placed, deposited or dumped in wildland- urban interface areas, or in, on or along trails, roadways or highways or against structures in wildland-urban interface areas.

Reason: Waste material can contribute to the ignition or spread of fire to structures and vegetation. Wildland Urban interface areas are already vulnerable to large fires that can spread rapidly and destroy many homes or other structures.

CFC section 307.4.1 Bonfires – Amended (NEW)

A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit.

Conditions ~~that~~ which could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition.

Exceptions:

- (1) Fires in beach areas shall be in accordance with San Diego Municipal Code section 63.20.5.
- (2) Fires are not permitted in public parks except as provided in San Diego Municipal Code section 63.0102(b)(11).

Reason: This code section was adopted in previous ordinance and was updated to reflect anticipated changes to municipal code Section 63.20.5 which contains the regulations for city beach areas. The references to (c) and (d) have been removed with the anticipation of additional sections being added that contain regulations related to bonfires at the beach. The resulting ordinance is more broad in its reference to accommodate the possible changes.

CFC Section 307.4.3 Portable Outdoor Fireplaces – Amended (NEW)

Portable outdoor fireplaces shall be used in accordance with the manufacturer’s instructions, provided with a spark arrestor, and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exceptions:

- (1) Portable outdoor fireplaces used at one and two-family dwellings located outside of a wildland-urban interface area, when used in accordance with the manufacturer’s instructions
- (2) Portable outdoor fireplaces used at one and two-family dwellings located within a wildland-urban interface fire area, when such portable outdoor fireplaces are located at least 15 feet (3048 mm) from a structure, combustible material or vegetation. Such outdoor fireplaces shall be used in accordance with the manufacturer’s instructions.

Reason: Portable outdoor fireplaces are required to be separated from structures or combustible materials by 15 feet to prevent accidental ignition from sparks or embers emanating from the fireplace. The CFC provides an exception to this requirement for one- and two-family dwellings. However, due to the additional risk of homes located in a wildland urban interface area the exceptions were modified to require the 15-foot separation in one-

and two-family dwellings located within such areas. The use of a spark arrestor is consistent with current policy and provides additional safeguards to reduce the risk of sparks or embers igniting a nearby fuel source.

CFC Section 307.4.4 Red-Flag and Other High Fire Risk Conditions – Added (NEW)

Open burning, including recreational fires and fires within portable outdoor fireplaces, shall not be permitted when a red-flag warning or a fire weather watch condition has been issued by the National Weather Service.

Exception:

- (1) Fires in beach areas complying with San Diego Municipal Code section 63.20.5.

Reason: Open burning is prohibited when atmospheric conditions make it unsafe, however, recreational fires and portable outdoor fireplaces are not considered open burning. This amendment clarifies that these activities are also prohibited during dangerous fire weather events. It is important to note that propane or other gas-fueled fireplaces are not considered a portable outdoor fireplace, which is defined in the CFC as a solid fuel burning appliance and would still be permitted. Gas fueled fireplaces do not emit sparks and embers and do not create the same hazard. Bonfires at the beach were specifically excluded due to the low risk of fire spread.

CFC Section 401.2 Approval - Amended (NEW)

Where required by this code, fire safety plans, emergency procedures and employee training programs shall be approved by the fire code official maintained on site and subject to review and approval by the *Fire Code Official*. Emergency plans and procedures must be developed by someone having sufficient knowledge of the building, life safety systems and any special hazards. The *Fire Code Official* is authorized to require an approved fire safety specialty organization to develop fire safety plans and emergency procedures.

Reason: Clarifies that emergency plans do not need to be submitted to the *Fire Code Official* for approval but must be maintained on site and available for review. This removes the burden of having to review and approve all plans while still maintaining the authority to do so. It also requires a qualified person to develop the plans and allows the fire code official to require a 3rd party to develop plans where there is not a qualified person, the business chooses to do so or the *Fire Code Official* requires it.

CFC Section 401.4 Required Plan Implementation – Amended (NEW)

In the event an unwanted fire is detected in a building or a fire alarm activates, the emergency plan shall be implemented unless otherwise directed by a fire department official assuming command of the incident.

Reason: Clarifies that a fire department official's direction during an emergency situation takes precedence over any pre-determined emergency plans.

CFC Section 403.2 Group A Occupancies – Amended (NEW)

An approved fire safety and evacuation plan in accordance with section 404 shall be prepared and maintained for Group A occupancies, ~~other than those occupancies used exclusively for purposes of religious worship with an occupant load less than 2,000,~~ with an occupant load exceeding 500 and for buildings containing both a Group A occupancy and an atrium. Group A occupancies shall comply with Sections 403.2.1 through 403.2.4.

Exceptions:

- (1) Group A occupancies used exclusively for religious worship with an occupant load less than 2,000.

Reason: The requirement of an emergency plan for all Group A occupancies is too inclusive and is unnecessary for many occupancies that are included in this classification. Emergency plans are valuable for larger assemblies due the occupants unfamiliarity of the building and potential for large loss of life which is why an occupant load exceeding 500 was included. This occupant also correlates with CFC section 403.11.3.1 which requires crowd managers for gatherings of more than 500 people.

CFC Section 403.11.1.3 Standby Fire Department Personnel – Added

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, obstructions to means of egress or other hazards ; (3) take prompt measures for remediation of hazards and extinguishment of fires that may occur; and (4) take prompt measures to assist in the evacuation of the public from the structures.

Such individuals shall not, while on duty, perform any other duties than those herein specified unless otherwise directed by the *Fire Code Official*. 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.

Reason: The CFC contains provisions for fire watch personnel to be provided at large public assemblies or events when deemed necessary. This section was added to include and distinguish standby fire department personnel which are defined as members of the San Diego Fire-Rescue Department. It is the normal practice of the San Diego Fire-Rescue Department to utilize professional, trained personnel to provide consistency and a minimum level of training for events in which the Fire Code Official deems their presence necessary. This section also addresses the associated cost of such services and indicates the responsibility of the permittee to pay the associated fee as adopted in the current fee schedule.

CFC Section 503.3.1 Fire Apparatus Access Roads - Added (NEW)

During “red-flag” warnings or fire weather watch conditions, street parking may be prohibited in areas determined to be at significant risk from wildfires, including areas identified as a fire hazard severity zone, so a wider pathway is available to support rapid evacuation when side-

street parking narrows the road to a smaller width than the standards in 14 CCR §1273.01.
Such areas will be marked with signs approved by the Fire Code Official.

Reason: Many of the older streets in the city are very narrow and in the event of a major wildfire evacuation may become a challenge, especially with vehicles parked on the street. Narrow road conditions also affect fire apparatus responding to or mitigating emergencies and can make conditions more hazardous for them. Restricting street parking during severe fire weather will help to alleviate these issues. This language is similar to recommendations made by the Board of Forestry for at-risk subdivisions in response to Assembly Bill 2911 which effected Public Resources Code 4290.5.

CFC Section 505.1 Address Identification - Amended

New and existing buildings shall ~~be provided with~~ have approved address identification numbers, building numbers or approved building identification. ~~The address identification shall be legible and placed in a position that is plainly legible that is~~ and visible from the street or road fronting the property. ~~Address identification characters~~ These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. For buildings used exclusively for residential purposes, such numbers ~~Each character shall be not less than a minimum of 4 inches (102~~ 101.6 mm) high with a minimum stroke width of $\frac{1}{2}$ 0.5 inch (12.7 mm). For buildings used all or in part for commercial, industrial or institutional purposes such numbers shall be a minimum of 6 inches (152.4 mm) high with a minimum stroke width of 0.5 inch (12.7mm). Where required by the ~~fire code official~~ *Fire Code Official*, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Reason: A visible address is crucial for responding agencies to quickly locate a building in the event of an emergency. One of the key components of this requirement is that the numbers must be visible from the street. The CFC provides a minimum height of 4 inches for address

numbers. Commercial properties will typically require larger numbers than a residential property due to larger setbacks from the street. This amendment recognizes that fact and provides additional guidance for commercial properties on number size, however, address numbers greater than 6 inches may be required in order to be clearly visible from the street or roadway fronting the property.

CFC Section 507.5.7 Identification – Added

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 blue colored markers. Such markers shall be affixed to the roadway surface, approximately centered between curbs, and at a right angle to the hydrant.

Reason: Fire hydrants or other fire protection equipment such as FDCs may inadvertently become obstructed due to parking or other obstructions. Marking the required clear space by striping or providing signs can help to keep the minimum clear space available to access the equipment or appliances. Placing blue markers in the roadway helps firefighters to identify the location of hydrants more quickly, especially in low lighting conditions or when hydrants are not visible from the roadway.

CFC Section 4904.3.1.1 Adoption of Fire Hazard Severity Zones – Added

The Council of the City of San Diego adopts the Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection, and adopts the Brush Management Zones, as defined in Municipal Code section 142.0412, as Very High Fire Hazard Severity Zones, as designated on a map titled, “Very High Fire Hazard Severity Zone Map – Local Responsibility Areas”, dated July 21, 2009, on file with the City Clerk as Document number OO-19884.

Reason: The director of forestry and fire protection classifies land into fire hazard severity zones in accordance with the severity of wildfire hazard expected to prevail in those areas in accordance with Government Code 51175 through 51189. Local agencies must adopt by

ordinance the fire hazard severity zone recommendations from the director within 120 days. This section was added to reference the ordinance that was passed to adopt those recommendations in accordance with GOV 51179 (a).

CFC Section 4906.3.1 Contents - Amended (NEW)

Landscape plans shall contain the following:

- (1) Delineation of the ~~30~~ 35-foot and 100-foot fuel management zones from all structures.
- (2) Identification of existing vegetation to remain and proposed new vegetation.
- (3) Identification of irrigated areas.
- (4) A plant legend with both botanical and common names, and identification of all plant material symbols.
- (5) Identification of ground coverings within the ~~30~~ 35-foot zone.

Reason: This was changed for consistency with our brush management guidelines contained within the Land Development Code Section 142.0412 which requires 35 feet in zone 1.

CFC Section 4907.3 Requirements - Added (NEW)

Hazardous vegetation and fuels around all buildings and structures shall be maintained in accordance with the following laws and regulations:

- (1) San Diego Municipal Code Section 142.0412
- (2) Public Resources Code, Section 4291
- (3) California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3, Article 3, Section 1299.03.
- (4) California Government Code, Section 51182.
- (5) California Code of Regulations, Title 19, Division 1, Chapter 7, Subchapter 1, Section 3.07.

Reason: This section specifies the applicable state laws and regulations for defensible space around buildings and structures. Reference to San Diego Municipal Code Section 142.0412 was added to include local brush management regulations.

CFC Section 5001.1.2 Hazardous Materials HAZMAT Program Legislative Declaration and Findings – Added

- (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 hazardous materials 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 Hazardous Materials (HAZMAT) 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 California Fire Code, as adopted by this Article.

Reason: This section establishes the HAZMAT program (previously referred to as CEDMAT) and describes the need for the program due to the increased hazard to the community presented by the commercial and industrial sector using and storing hazardous materials and/or conducting hazardous processes.

CFC Section 5001.1.3 Purpose of HAZMAT Program – Added

The purpose of the HAZMAT Inspection Program is to:

- (1) Inspect occupancies, as defined in the Fire Code, within the City of San Diego, to determine the type, quantity and location of hazardous materials which may be present, and the scope of risk presented by the presence of such materials.
- (2) Create HAZMAT action programs for the optimum containment, suppression and management of incendiary and related emergency response incidents involving such occupancies and materials.
- (3) Compile and analyze information relative to such materials and occupancies in fulfillment of the purposes set forth in this section.

Reason: This section describes the purpose, scope and intent of the program in order to best mitigate the risk to the community and emergency responders. This includes requiring approved documentation to verify the type, quantity and location of hazardous materials to verify that businesses are not exceeding the maximum allowable quantities for hazardous materials in a control area. Businesses must also be issued the appropriate operational permits for the materials and processes they are storing and using once it has been verified that the storage and use comply with the requirements of the California Fire Code or any other applicable codes and standards. The HAZMAT inspection program works in concert with San Diego County Hazmat who is the CUPA for San Diego County.

CFC Section 5001.1.4 HAZMAT Inspections – Added

- (1) The *Fire Code Official* shall cause periodic HAZMAT inspections to be made of occupancies, such as buildings, structures and installations, within the City of San Diego and determine whether hazardous material exists.
- (2) During any inspection, the *Fire Code Official* 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 hazardous material, as defined in the California Fire Code by either its chemical or common name or by description of the relevant chemical properties which render it hazardous; (2) a description of where such hazardous materials are normally located in the building, structure or installation.
The owner, or other persons having charge or control of the premises shall provide

information requested under this section within 15 days.

- (3) 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.

Reason: Clarifies the hazardous materials information required to be provided to the fire inspector in accordance with CFC 5001.5.2 Hazardous Materials Inventory Statement. A timeline of 15 days is also added to this requirement to prevent any excessive delays in obtaining this necessary information.

CFC Section 5601.1.3.1 Where Prohibited - Added

Except as hereinafter provided, it shall be unlawful for any person to possess, store, manufacture, offer for sale, expose for sale, sell at retail, or use or explode any fireworks within the incorporated City limits, or the territory outside the City over which the City has jurisdiction or control by virtue of the Constitution, Charter or any law, or by reason of ownership or control of property.

Exception: Fireworks, 1.4G and Fireworks 1.3G may be part of a public display when permitted and conducted by a State of California licensed pyrotechnic operator.

Reason: Fireworks of any kind, whether dangerous fireworks or safe and sane fireworks as defined in the Health & Safety Code, are prohibited within the City of San Diego and are responsible for thousands of fires and injuries every year. Fireworks started an estimated 19,500 fires in 2018, including 1,900 structure fires, 500 vehicle fires, and 17,100 outside and other fires. These fires caused five deaths, 46 civilian injuries, and \$105 million in direct property damage.

CFC Section 5601.2.4.2.1 Liability Insurance – Added

Before a permit is issued pursuant to this section, the applicant shall file with the City a \$2 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.

Reason: The model code language in CFC 5601.2.4.2 requires insurance for a fireworks display but does not specify a minimum. CA Health & Safety Code 12610 requires a certificate of insurance in an amount determined by the State Fire Marshal. This section was added to ensure the certificate of insurance complied with the amounts determined by the State Fire Marshal in Section 993 of Title 19.

CFC Appendix B Table B105.1(1) – Amended (NEW)

TABLE B105.1(1)

REQUIRED FIRE FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

Fire-Flow Calculation Area (square feet)	Automatic Sprinkler Systems (Design-Standard)	Minimum Fire Flow (gallons per minute)^a	Flow Duration (hours)
0-3,600	No automatic sprinkler system	1000 <u>Value in Table B105.1(2)</u>	1 <u>Duration in Table B105.1(2)</u>
3,601 and greater	No automatic sprinkler system	<u>Value in Table B105.1(2)</u>	<u>Duration in Table B105.1(2) at the required fire flow rate</u>
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>	500 <u>1,000</u>	1/2 <u>Duration in Table B105.1(2) at the required fire-flow rate</u>
3,601 and greater	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	½ 50% of the value in Table B105.1(2)	1 <u>Duration in Table B105.1(2) at the required fire-flow rate</u>

For SI: 1 square foot = 0.0929 m², 1 gallon per minute = 3.785 L/m.

- a. The reduced fire-flow rate shall not be less than 1,000 gallons per minute.

Reason: Table B105.1(1) determines the fire flow requirement for one-and two-family dwellings, group R-3 and R-4 buildings and townhouses. These buildings are typically protected with an NFPA 13D sprinkler system which is designed to prevent flashover and give occupants additional time to escape; they are not designed to protect the structure. The modifications made to the table ensure an adequate water supply for manual firefighting operations. Reductions are still allowed for sprinklered buildings given the fact the sprinklers will help to control the fire until firefighters arrive, requiring less water for extinguishment. It is also important to ensure an adequate water supply in the event of a wildfire where one- and two-family homes are exposed to fire from the exterior and multiple homes may be affected by fire at the same time.

CFC Appendix B Table B105.2 – Amended (NEW)

TABLE B105.2

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

Automatic Sprinkler Systems (design-standard)	Minimum Fire-Flow (gallons per minute)	Flow Duration (hours)
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>	25 50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced <u>required</u> flow rate
Section 903.3.1.2 of the <i>California Fire Code</i>	25 50% of the value in Table B105.1(2) ^{a,b}	Duration in Table B105.1(2) at the reduced <u>required</u> flow rate

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

a. The reduced fire-flow rate shall not be less than ~~4,000~~ 1,500 gallons per minute.

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

Reason: Table B105.2 determines the fire flow requirements for buildings other than one-and two-family dwellings, group R-3 and R-4 buildings and townhouses. The table gives a 75% reduction in required fire flow for buildings with an NFPA 13 or 13R system. This reduction allows for fire flows and hydrant spacing that is

inadequate for manual firefighting operations. Although sprinklers are very effective, the possibility that the sprinklers may be inoperable due to tampering, scheduled maintenance, lack of maintenance or improper design needs to be considered. Providing an adequate water supply is essential for successful fireground operations to ensure the protection of life and property. San Diego is also prone to large and devastating wildfires that present unique challenges. Table B105.1(2) determines the required fire flow for a building based on the type of construction and the fire-flow calculation area. The table does not consider the contents of the building and the resulting fire load that those contents create. Changing the reduction to 50% will provide a more adequate water supply to the premises and allow for more flexibility and versatility with the property use in the future without having to upgrade the water supply, which would be much more costly at that point. This will also help alleviate the need for the Fire Code Official to increase the fire flow requirements in accordance with B103.2 and provide more consistency for contractors.

CFC Appendix C Table C102.1 - Amended (NEW)

TABLE C102.1
REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS^{fh}

FIRE-FLOW REQUIREMENT (gpm)	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS^{a, b, c, f, g} (feet)	MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT^{d, f, g}
1,750 or less	1	500	250
1,751-2,250	2	450	225
2,251-2,750	3	450	225
2,751-3,250	3	400	225
3,251-4,000	4	350	210
4,001-5,000	5	300	180
5,001-5,500	6	300	180
5,501-6,000	6	250	150
6,001-7,000	7	250	150
7,001 or more	8 or more ^e	200	120

For SI: 1 foot = 304.8 mm, 1 gallon per minute = 3.785 L/m.

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- a. Reduce by 100 feet for dead-end streets or roads.
- b. Where streets are provided with median dividers that cannot be crossed by fire fighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis.
- c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
- d. Reduce by 50 feet for dead-end streets or roads.
- e. One hydrant for each 1,000 gallons per minute or fraction thereof.
- f. ~~A 50-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1 of the California Fire Code~~
- g. ~~A 25-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.2 or 903.1.3 of the California Fire Code or section 313 of the California Residential Code.~~
- h.f. The fire code official is authorized to modify the location, number and distribution of fire hydrants based on site-specific constraints and hazards.

Reason: Appendix C gives hydrant spacing increases of 50% and 25% for buildings protected by an NFPA 13 and 13R system respectively. Hydrant spacing increases are already provided based on the reduction in fire flow requirements in appendix B for sprinklered buildings. The resulting hydrant spacing when sprinkler benefits are combined from both tables allows for unacceptable distances which could result in delays with securing a water supply for firefighting operations.

CFC Appendix D Section D103.5 Fire Apparatus Access Road Gates - Amended (NEW)

Gates securing the fire apparatus access roads shall comply with all of the following criteria:

- (a) ~~Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus access road consists of a divided roadway, the gate width shall not be less than 12 feet (3658 mm). The minimum gate width shall be 13 feet (3964 mm).~~
- (b) Gates shall be of the ~~swinging or sliding type~~ horizontal swing, horizontal slide, vertical lift or vertical pivot type.
- (c) Construction of gates shall be of materials that allow manual operation by one person.

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- (d) Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
- (e) Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the *Fire Code Official*.
- (f) Methods of locking shall be submitted for approval by the *Fire Code Official*.
- (g) Electric gate operators, where provided, shall be listed in accordance with UL 325.
- (h) Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

Reason: This is an existing amendment that required a 13-foot minimum gate opening for fire apparatus access roads. This is being updated to include vertical pivot type gates in accordance with the 2022 CFC.

CFC Appendix D Section D103.6 - Amended

Where required by the *Fire Code Official*, fire apparatus access roads shall be marked with permanent "NO PARKING—FIRE LANE" signs complying with ~~Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. California Vehicle Code Section 22500.1.~~ Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

Reason: This amendment ensures consistency with the designation of a fire lane as described in the California Vehicle Code.

CFC Appendix D Section D106.2.1 Multiple Family Residential Developments With Significant Fire Risk - Added

Residential developments of more than 30 dwelling units located in a state responsibility area (SRA) or a Very High Fire Hazard Severity Zone, shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

Reason: Public Resources Code 4290.5 was written as a result of Assembly Bill 2911 which identified housing subdivisions with more than 30 dwelling units located in a Very High Severity Fire Hazard Zone (VHFHSZ) without a secondary egress route. These subdivisions were determined to be at significant fire risk and the Board of Forestry, in cooperation with the State Fire Marshal, was tasked with making recommendations to improve the safety of these subdivisions which included creating a secondary access to the subdivision when possible. This addition to the code prevents new developments of more than 30 dwelling units located in a VHFHSZ from being designed without a secondary egress route. The model language currently allows for projects up to 200 dwelling units with a single fire access road if they are sprinklered. Residential sprinklers will not protect a community from a wildfire which is the primary focus of the need for a secondary access road.

CFC Appendix D Section D107.1 One-Or-Two-Family Dwelling Residential Developments – Amended (NEW)

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

- (1) Where there are more than 30 dwelling units, not located in a state responsibility area (SRA) or a Very High Fire Hazard Severity Zone, accessed from a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
- (2) The number of dwelling units accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Reason: Amended language to keep consistent with PRC 4290.5. See Reason Statement for D106.2.1 Above.

Fire and Harmful Gas Emergency Alarms – Added

§511.8300 Purpose and Intent

This Division creates a permitting system for fire and harmful gas alarm systems. It includes a schedule of penalties for *false alarms* as defined in this Division. The permitting and penalty regulations in this Division are in addition to the San Diego Police Department false alarm regulations enacted in Chapter 3, Article 3, Division 37 of this Code.

§511.8301 Definitions

Defined terms appear in italics. The following definitions apply in this Division:

Alarm agent means any person who is directly or indirectly employed by a *fire-harmful gas alarm business*, and whose duties include selling any *fire-harmful gas alarm system*.

Alarm system administrator means an employee of the City of San Diego designated by the *alarm system official* to administer the *fire-harmful gas alarm system* permitting, track false alarms for purposes of penalties under this Division, report on program metrics, and act as a liaison with the public.

Alarm system official means the *Chief of Police*, the *Fire-Rescue Chief*, or any other official appointed by the ~~City Manager~~ Mayor to preside over the *fire-harmful gas alarm system* program in this Division.

Alarm user means any person who operates, activates, possesses or controls a *fire-harmful gas alarm system*, or who occupies, controls, or possesses the

building or structure protected by a *fire-harmful gas alarm system*.

Business tax certificate has the same meaning as *certificate* in Municipal Code section 31.0110(a).

Chief of Police has the same meaning as Municipal Code section 33.0201. *Conversion* means the assumption by one *fire-harmful gas alarm business* of the duty to service, maintain or monitor a *fire-harmful gas alarm system* previously monitored by another *fire-harmful gas alarm business*.

Emergency situation means any circumstance in which there is reason to believe that: (1) there is an uncontrolled fire actively burning in or near a building or other structure; (2) there is a concentration of *harmful gas* in or near a building or other structure; or (3) there is an identifiable risk of harm to a person or property within or near a building or other structure.

Exempt user has the same meaning as in Municipal Code section 33.3702.

False alarm means any triggering of a *fire-harmful gas alarm system* that results in a response by San Diego Fire-Rescue Department personnel when an *emergency situation* does not exist. *False alarm* includes activations caused by mechanical failure, malfunction, accidental tripping, malicious tripping, misuse, or negligent maintenance by a *fire-harmful gas alarm business*, *fire-harmful gas alarm agent*, or *alarm user*. *False alarm* does not include activations caused by weather conditions, telephone line problems, water surges, water hammers, or any other factor over which the *fire-harmful gas alarm business*, *fire-harmful gas alarm agent*, or *alarm user* do not have direct control.

Fire alarm system means a *fire-harmful gas alarm system* that is designed to monitor buildings or other structures for *emergency situations* connected to uncontrolled fires and evokes a San Diego Fire-Rescue Department response when the alarm system is triggered.

Fire-harmful gas alarm business means any *person* engaged in the enterprise of selling, installing, maintaining, servicing, inspecting, or monitoring any *fire-harmful gas alarm system*. *Fire-harmful gas alarm business* does not include the owner or property manager of an apartment complex that provides *fire-harmful gas alarm systems* in each residential unit as an amenity.

Fire-harmful gas alarm system means any mechanical or electrical monitoring device capable of giving, signaling, or transmitting a fire or *harmful gas* emergency alarm that, when triggered by an *emergency situation*, emits a sound or transmits a signal or message that is intended to evoke a response by the San Diego Fire-Rescue Department. *Fire-harmful gas alarm system* includes *fire alarm systems* and *harmful gas alarm systems*. *Fire-harmful gas alarm system* excludes manually activated residential alarm systems.

Fire-Rescue Chief means the Chief of the Fire-Rescue Department of the City of San Diego.

Fire watch means a *person* who is a site-specific guard for the purpose of detecting an *emergency situation*. *Fire watch* includes only those *persons* who are trained in the use of fire extinguishers, the notification to the San Diego Fire-Rescue Department of an *emergency situation*, and in the operation of the *fire alarm system* where the *fire watch* is stationed.

Harmful gas means any form of gas other than smoke, ash, or dust from a fire, which is capable of causing harm to *persons* or property. For example, carbon monoxide is a *harmful gas*.

Harmful gas alarm system means a *fire-harmful gas alarm system* that is designed to monitor buildings or other structures for *emergency situations* connected to *harmful gas*, and evokes a San Diego Fire-Rescue Department response when the alarm system is triggered.

Person has the same meaning as in Municipal Code section 11.0210.

Sell has the same meaning as in Municipal Code section 33.3702. Takeover means the assumption by one *alarm user* of the control of a *fire-harmful gas alarm system* previously controlled by another *alarm user*.

§511.8302 Fire-Harmful Gas Alarm Business Requirements and Responsibilities

- (a) It is unlawful for any person to operate a fire-harmful gas alarm business without a business tax certificate obtained pursuant to Chapter 3 of this Code.
- (b) It is unlawful for any person to operate a fire-harmful gas alarm business not licensed as required by the State of California.
- (c) Any fire-harmful gas alarm business that sells any fire-harmful gas alarm system shall do the following:
 - (1) Obtain an alarm user permit, using the alarm user permit application provided by the alarm system official, on behalf of the alarm user before putting the fire-harmful gas alarm system into service;
 - (2) Collect the alarm user permit application and permit fee from each
alarm user; and
 - (3) Complete online, mail or hand deliver the completed alarm user permit application and permit fee to the alarm system official before putting the fire-harmful gas alarm system into service.
- (d) Any person or business that sells any fire-harmful gas alarm system and does not personally or through an agent install, maintain, service, inspect or monitor the fire-harmful gas alarm system for any location, shall provide to the purchaser at the time of the sale an alarm user permit application and certification form, as provided in Municipal Code section 511.8307. Subsection (c) does not apply to

transactions covered under this subsection.

§511.8303 Alarm Agent Responsibilities

An *alarm agent* shall comply with all applicable licensing or registration requirements pursuant to California law.

§511.8304 Fire-Harmful Gas Alarm System Conversion

- (a) Prior to the *conversion* of any *fire-harmful gas alarm system*, the *fire-harmful gas alarm business* transferring the duty to monitor shall ensure that the *alarm user* has a valid *alarm user* permit for the *fire-harmful gas alarm system* being converted.
- (b) If the *alarm user* does not have a valid *alarm user* permit for the *fire-harmful gas alarm system* being converted, the *fire-harmful gas alarm business* transferring the duty to maintain, service, inspect or monitor shall obtain the *alarm user* permit on behalf of the *alarm user*.

§511.8305 Fire-Harmful Gas Alarm System Takeover

- (a) Upon any *takeover* of a *fire-harmful gas alarm system* maintained, serviced, inspected or monitored by a *fire-harmful gas alarm business*, the *fire-harmful gas alarm business* shall determine whether an *alarm user* permit has been issued to the *alarm user* assuming control of the *fire-harmful gas alarm system*.
- (b) Upon a determination that an *alarm user* permit has not been issued to the *alarm user* assuming control of the *fire-harmful gas alarm system*, the *fire-harmful gas alarm business* shall obtain an *alarm user* permit on behalf of the *alarm user*.
- (c) Nothing in this Division prohibits the *fire-harmful gas alarm business* from recovering from an *alarm user* the amount of the *alarm user* permit fee.

§511.8306 Alarm User Permit Required; Violation

- (a) It is unlawful for any *alarm user* to operate, activate, possess or control any *fire-harmful gas alarm system* unless the *alarm user* has a current valid *alarm user permit* issued by the *alarm system official* for that *fire-harmful gas alarm system*.
- (b) Except as provided in section 511.8302, the *alarm system official* shall collect *alarm user permit applications* and *permit application fees* from the *alarm user*.

§511.8307 Application for Alarm User Permit

- (a) Any *person* applying for an *alarm user permit* shall submit to the *alarm system official*, on a form provided by the *alarm system official*, a legibly written application containing the following information:
 - (1) Name, address, and telephone number of the *alarm user*

(including separate mailing address if applicable);
 - (2) Classification of the alarm location as residential or commercial;
 - (3) *Fire-harmful gas alarm system* type (such as fire or carbon monoxide;
 - (4) Area covered by *fire-harmful gas alarm system*;
 - (5) Name, address, and telephone number of the *person* authorized to respond to alarm signals and to allow access to the protected building or other structure;
and
 - (6) Name, address, telephone number, *City business tax certificate* number, and State license number of the *fire-harmful gas alarm business* that will monitor the *fire-harmful gas alarm system*, if any.
- (b) All fees must be paid at the time the *alarm user permit application* is filed.

- (c) Each *alarm user* permit application must be accompanied by a signed certification by the *alarm user* and *fire-harmful gas alarm business* stating the following:
- (1) The date of the installation, *conversion*, or *takeover*, whichever is applicable;
 - (2) The name, address, telephone number, *City business tax certificate* number, and State license number of the *fire- harmful gas alarm business* installing the *fire-harmful gas alarm system*, or performing the *conversion* or *takeover* of the *fire-harmful gas alarm system*;
 - (3) The name, address, and telephone number of the *fire-harmful gas alarm business* or *alarm agent* responsible for monitoring the *fire- harmful gas alarm system*, if any;
 - (4) That written operating instructions for the *fire-harmful gas alarm system*, including written guidelines regarding how to avoid *false alarms*, have been provided to the *alarm user* applying for the permit; and
 - (5) That the *fire-harmful gas alarm business* has provided to the *alarm user* applying for the permit all necessary information regarding the proper use of the *fire-harmful gas alarm system*, including instruction on how to avoid *false alarms*.
- (d) The *alarm system official* may deny the application for an *alarm user* permit if any of the information required pursuant to section 511.8307 is not provided.
- (e) An application will not be considered complete if, at the time the application is being considered, any penalty fees under section 511.8310 or any fines assessed to the *person* applying for an *alarm user* permit under section 511.8315 have not been paid.

§511.8308 Expiration of Alarm User Permits

- (a) An *alarm user* permit shall expire on the last day of the twenty-fourth month following the issuance of the permit.
- (b) The *alarm user* is responsible to renew an *alarm user* permit prior to the permit's expiration.
- (c) The *alarm system administrator* shall notify the *alarm user* when a permit is due to expire at least thirty days before it expires.

§511.8309 Alarm User Permits Not Transferable

Alarm user permits shall not be transferable from one *person* to another or from one building or other structure to another.

§511.8310 Fees and Penalties for Alarm User Permit

- (a) Except as otherwise specifically provided in this Division, any *person* who files an application for an *alarm user* permit shall, at the time of filing the application, pay a fee in accordance with the City Clerk's fee rate book and any outstanding penalty fee.
- (b) Any *alarm user* who does not have an *alarm user* permit and whose *fire- harmful gas alarm system* generates a San Diego Fire-Rescue Department call for service will be notified in writing that he or she must obtain an *alarm user* permit. If the *alarm user* has not obtained an *alarm user* permit within 15 days after written notification by the San Diego Fire-Rescue Department, then the *alarm user* will be assessed a penalty for each San Diego Fire-Rescue Department call for service generated by his or her *fire-harmful gas alarm system* until the permit is obtained, which shall include cost recovery for the San Diego Fire-Rescue Department's response. The penalty schedule shall be kept in the City Clerk's fee rate book on file in the City Clerk's Office.

§511.8311 Responsibility for Fire-Harmful Gas Alarm Systems in Apartments

- (a) If an alarm user has multiple fire-harmful gas alarm systems in one building or structure, an alarm user permit is required for each separate system.
- (b) The tenant of a multiunit residential building or rental property whose unit contains a fire-harmful gas alarm system is deemed to be the alarm user if the fire-harmful gas alarm system was not provided by the owner of the multiunit residential or other rental property.
- (c) The owner of a multiunit residential or other rental property that provides a fire-harmful gas alarm system to tenants shall be deemed the alarm user.
- (d) Each fire-harmful gas alarm system control panel constitutes a separate alarm system and requires a separate alarm user permit.

§511.8312 Fire-Harmful Gas Alarm System Direct Dial Prohibition

It is unlawful for any person to program, install or use any fire-harmful gas alarm system to direct dial any emergency or "call for service" number serving the San Diego Fire-Rescue Department's Regional Communications Center.

§511.8313 Procedures for Alarm Verification

A fire-harmful gas alarm business shall, after contacting the San Diego Fire-Rescue Department, attempt to contact an alarm user in person, by telephone, or by other electronic means, in order to verify that the alarm signal is not false.

§511.8314 Revocation of an Alarm User Permit

- (a) A violation of any of the provisions of this Division shall constitute grounds for revocation of an alarm user permit.
- (b) The alarm system official may revoke any alarm user permit for any fire-harmful

gas alarm system that has had false alarms in excess of the number permitted in section 511.8314(f).

The alarm system official will indicate on an alarm user's records that an alarm is false if the responding San Diego Fire-Rescue Department personnel do not find evidence that an emergency situation was the cause of the alarm being triggered. The alarm system official may amend the alarm user's records to indicate that the alarm was not a false alarm if, within ten business days of the alarm being triggered, the alarm system official receives satisfactory evidence to that effect. The alarm system official shall issue written findings of such decision within five business days of receipt of the evidence offered.

- (c) Upon revocation of any alarm user permit, the alarm system official will notify the holder of the permit in writing of the revocation.
- (d) The alarm system official shall notify the alarm user of the alarm user's first false alarm by letter.
- (e) The first two false alarms of each calendar year for an alarm user holding an alarm user permit shall not be penalized either by a penalty or alarm user permit revocation. Additional false alarms each calendar year will be penalized according to the penalties for false fire-harmful gas alarms contained in the City Clerk's fee rate book.
- (f) An alarm user permit that has been revoked pursuant to this Division is not a current valid alarm user permit.

§511.8315 Penalties for Alarm User Permit Revocations

An alarm user shall pay a penalty, according to the established rates kept in the City Clerk's fee rate book on file in the Clerk's Office, for each revocation of an alarm user permit and each subsequent false alarm San Diego Fire-Rescue Department response that fire-harmful gas alarm system.

- (a) A fire-harmful gas alarm business shall not be liable for any penalty imposed upon an alarm user for exceeding the permitted number of false alarms if the fire-harmful gas alarm business obtained the alarm user permit on behalf of the alarm user.

§511.8316 Reinstatement of Revoked Permit; Alarm User Permit Appeal

- (a) An alarm user whose permit has been revoked pursuant to section 511.8314 may apply for reinstatement of the permit by submitting to the alarm system official all penalties due pursuant to section 511.8315, and written evidence satisfactory to the alarm system official that the cause of the false alarms has been identified and corrected.
- (b) The alarm system official may reinstate an alarm user permit revoked pursuant to section 511.8314 upon the receipt of all penalties due pursuant to section 511.8315 and evidence satisfactory to the alarm system official that the cause of the false alarms has been corrected. The alarm system official may also require such other conditions as may be appropriate to reinstate a revoked alarm user permit.
- (c) An alarm user may appeal a decision by the alarm system official to revoke the alarm user permit in accordance with the appeals process for Police Regulated Businesses found in Chapter 3, Article 3, Division 5 of this Code.

§511.8317 Use of Fire-Harmful Gas Alarm System after Permit Revocation as Public Nuisance

- (a) The alarm system official may declare a fire-harmful gas alarm system a public nuisance when all of the following conditions are present:
- (1) The alarm user permit has been revoked due to false alarms;
 - (2) The revoked alarm user permit has not been reinstated;

- (3) The cause of the *false alarms* has not been corrected;
 - (4) The *alarm user's fire-harmful gas alarm system* continues to trigger *false alarms*; and
 - (5) If revoked, the decision of the *alarm system official* to revoke the permit is not currently on appeal pursuant to Chapter 3, Article 3, Division 5 of the Municipal Code.
- (b) The *alarm system official* may remove a public nuisance designation from the *alarm user's records* when the *alarm user* permit has been reinstated and the cause of the *false alarms* has been corrected.

§511.8318 Posting a Fire Watch

The *alarm system official* may require an *alarm user* to post a *fire watch*, at the *alarm user's* expense, if a *fire alarm system* is unable to be repaired within 24 hours or if the lack of protection due to the alarm malfunctioning creates a life or property safety hazard. The *fire watch* shall be stationed at the building or other structure where the *false alarms* were generated.

§511.8319 Exceptions

The regulations in this Division do not apply to:

- (1) Persons engaged solely in the manufacture or repair of *fire-harmful gas alarm systems* or *fire-harmful gas alarm system* components from a fixed location who do not personally or through an agent install, or monitor the *fire-harmful gas alarm system* for any location, except as provided in section 511.8302(d).
- (2) Exempt users as defined in section 511.8301 of this Division.

§511.8320 Confidentiality of Records

The information furnished and secured pursuant to this Division shall not be subject to public inspection except when required by local, state, or federal law.

An *alarm user* shall have access to information regarding the administration of that user's permit.

§511.8321 Enforcement Authority

The *alarm system official* is authorized to administer and enforce the provisions of this Division. The *alarm system official* may exercise any enforcement powers as provided in Chapter 1, Article 2, Division 1 of this Code.

§511.8322 Enforcement Remedies

Except as otherwise specifically provided, violations of this Division may be prosecuted as misdemeanors subject to the fines and custody provided in Municipal Code section 12.0201. The *alarm system official* may also seek injunctive relief and civil penalties in the Superior Court pursuant to Municipal Code section 12.0202 or pursue any administrative remedy provided in Chapter 1, Article 2, Division 1 of this Code.

Reason: The City of San Diego instituted a False Alarm Program to help reduce the excessive number of false alarms occurring within the city. A false alarm is an alarm activation causing a response by the Fire-Rescue Department when an emergency situation does not exist. The majority of alarms that the San Diego Fire-Rescue Department responds to are false, resulting in a waste of resources by reducing emergency unit availability and creating unnecessary danger to citizens and firefighters. For excessive responses, a cost recovery fee and a penalty may be assessed to the permit holder.