



The City of San Diego
Fire-Rescue Department

Proposed Local Amendments 2025 California Fire Code

The 2025 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, 2026. 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 2025 California Fire Code (CFC) is Part 9 of Title 24 in the California Code of Regulations and is based on the 2024 International Fire Code. Local amendments are published in Chapter 5, Article 11, Divisions 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 10/22/2025.
2. Review by affected industry stakeholder groups in November 2025 via the Community Risk Reduction web site and direct outreach.
3. Review and approval by the City Council expected December 2025. 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 2025 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 2025 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.

2025 California Fire Code Amendments

CFC Section 101.1 Title – Amended

~~These regulations shall be known as the *Fire Code* of [NAME OF JURISDICTION], hereinafter referred to as “this code.”~~

This code, which is a portion of the San Diego Municipal Code (SDMC), shall be known as the “San Diego Fire Code,” and whenever the word “code” is used in this code it shall mean the San Diego Fire Code. The San Diego Fire Code adopts by reference portions of the 2025 California Fire Code (CFC) and the 2024 International Fire Code (IFC).

Reason: This administrative provision clarifies that Chapter 5, Article 11, Division 1-83 of the San Diego Municipal Code is specific to the local adoption of the California Fire Code including necessary amendments, is titled “The San Diego Fire Code” and when the term code is used, it refers to the San Diego Fire Code.

CFC Section 103.1 Code Compliance Agency – Amended

The ~~[INSERT NAME OF DEPARTMENT]~~ City of San Diego Office of the Fire Marshal is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Reason: Clarifies that the Office of the Fire Marshal is responsible for the implementation, administration and enforcement of the provisions of this code

CFC Section 104.7 Official Records – Amended

~~The fire code official shall keep official records as required by Sections 104.7.1 through 104.7.6. Such official records shall be retained for not less than 5 years or for as long as the building or structure to which such records relate remains in existence, unless otherwise provided by other regulations.~~
Any records associated with this Article shall be retained in accordance with the retention periods set

forth in the City's Master Records Schedule on file with the City Clerk and in compliance with local, state and federal laws.

Reason: This section, which references sections 104.7.1 – 104.7.6, listed specific types of records and associated retention periods which may conflict with federal, state or local laws. This amendment revised that language to indicate that all records will be maintained in accordance with the city's master records schedule which is periodically updated to ensure consistency with applicable laws.

CFC Section 104.12 Cost Recovery – Added

The fire department shall have the authority to obtain reimbursement from responsible individuals for the expense of any emergency response and/or enforcement action by the fire department to protect the public from fire or hazardous substances in accordance with local, state, and federal laws.

Reason: Added to clarify that the fire department has the authority to obtain reimbursement for the expense of emergency response and/or enforcement actions to protect the public from fire or hazardous substances as permitted by existing local, state, and federal laws.

CFC Section 105.5 Required Operational Permits – Amended

~~The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.5.2 through 105.5.54.~~

A property owner or owner's authorized agent who intends to maintain, store or handle materials or to conduct processes that produce conditions hazardous to life or property shall first make application to the Fire Code Official and obtain the required operational permit(s) as set forth in sections 105.5.1 – 105.5.64.

Reason: This section draws language from section 105.1.1 to clarify that the fire code official is not only authorized to issue operational permits but that these permits are mandatory and places the responsibility on the property owner to ensure that the necessary permits are obtained prior to conducting any activities requiring a permit. It also updates the section numbers to reflect the

additional permits that have been added.

CFC Section 105.5.60 Fire and Harmful Gas Emergency Alarms – Added

An operational permit is required for any monitored fire-harmful gas alarm system as specified in Division 83 of this code.

Reason: Division 83 of the SDMC establishes a Fire and Harmful Gas Emergency Alarm program which requires a permit to be filed with SDFD. This addition provides consistency with the other required operational permits listed in the Fire Code.

CFC Section 105.5.61 General Use Permit – Commercial Buildings – Added

An operational permit is required for:

1. Any commercial building that is found to have conditions hazardous to life or property that are not otherwise addressed by a specific permit. The determination of hazardous conditions shall be made in accordance with the standards and procedures set forth in this code.
2. In addition to the requirements of subsection (1) above, a general use permit is mandatorily required for all commercial buildings in excess of 10,000 square feet or three (3) or more stories in height.

Reason: This provision provides an opportunity for the fire code official to issue an operational permit for hazardous conditions or operations that are not specifically listed in the code. It also requires a permit for buildings of a size that warrants a routine inspection due to the potential for life or property loss.

CFC Section 105.5.62 State-Mandated Occupancy - Added

An operational permit is required for California state-mandated inspected occupancies

Reason: This provides additional regulatory oversight for occupancies which are required by the

California Health & Safety Code to be inspected annually.

CFC Section 105.5.63 Temporary Fire Access Roads - Added

An operational permit is required for any temporary fire apparatus access roads installed or used at a construction or demolition site, in accordance with Section 3307 of this code

Reason: The issuance of an operational permit provides a mechanism for approval of temporary fire access roads used at construction or demolition sites as required by CFC Chapter 33 to establish and maintain adequate fire department access to the site.

CFC Section 105.5.64 Temporary Water Supply - Added

An operational permit is required for any temporary water supply installed or used at a construction or demolition site, in accordance with Section 3307 of this code.

Reason: The issuance of an operational permit provides a mechanism for approval of water supplies used at construction or demolition sites as required by CFC Chapter 33 to support manual firefighting operations at the site.

CFC Section 108.2 Fee Schedule - Amended

~~Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.~~

Fees shall be charged in accordance with the with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk to recover the costs related to the issuance of permits and associated inspections, or other inspections or activities as deemed necessary by the Fire Code Official to determine the extent of compliance with the provisions of this code.

Reason: Expands on the model code language which requires fees for permits and also includes fees to recover the costs related to the issuance of permits and associated inspections, or other inspections or activities as deemed necessary by the Fire Code Official. This section also clarifies that

the fees will be charged in accordance with the with the fee schedule established by resolution of the City Council.

CFC Section 112.1 General Board of Building Appeals and Advisors - 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 113.2.1 Operational Permit Registration - Added

The owner or owner's authorized agent of a building that requires an operational permit under Section 105.5 of this code shall register with the fire department's citizen portal, which can be found at <https://sdfportal.sandiego.gov/>, and provide current contact information. This information is required to effectively and promptly issue notices for code violations, as authorized by Section 113.3, and to provide other essential communications necessary for the abatement of hazardous

conditions. Failure to register with the fire department's citizen portal as required is a violation of this code and will be subject to penalties as set forth in this code.

Reason: Requires the owner of a building that requires an operational permit to register with the fire department's citizen portal to provide current contact information. This information is required to effectively and promptly issue notices for code violations and to provide other essential communications necessary for the abatement of hazardous conditions.

CFC Section 113.3.1 Service - Amended

~~A notice of violation issued pursuant to this code shall be served on the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation, either by personal service, mail or by delivering the same to, and leaving it with, some person of responsibility on the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, the owner's authorized agent, or occupant by any of the methods of service listed in San Diego Municipal Code Section 11.0301.~~

Reason: Establishes methods of service of a notice of violation and references SDMC 11.0301 to ensure consistency with any changes in city regulations or procedures.

CFC Section 113.4 Violation Penalties - Amended

~~Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

1. Civil Penalties.

- a. Any person who commits, causes, or maintains a violation of the San Diego Fire Code shall be subject to administrative citations and civil penalties. The fines for such violations shall be determined in accordance with the fee schedule established by resolution of the City Council and filed in the Office of the City Clerk.
- b. The imposition of civil penalties shall not be deemed a waiver of the City's right to seek any other remedy available at law or in equity, including, but not limited to, criminal prosecution.

2. Criminal Penalties.

- a. Any person who violates any provision of the San Diego Fire Code, or any order, rule, or regulation made pursuant to the code, is guilty of a misdemeanor, in accordance with the authority granted by California Health and Safety Code § 13112.
- b. Each day that a violation of any provision of this code or any order of the *Fire Code Official* continues after due notice has been served shall be deemed a separate and distinct offense.

3. Abatement and Cost Recovery

- a. In addition to the penalties provided in this chapter, the *Fire Code Official* may seek legal or equitable relief to compel compliance. If any person fails or refuses to correct or eliminate a fire or life hazard after receiving a written order from the Fire Code Official, the City may cause the hazard to be abated in compliance with San Diego Municipal Code, Chapter 1, Article 2.
- b. All costs incurred by the City in the abatement of a fire or life hazard, including but not limited to administrative costs, staff time, and legal fees, may be recovered from the person in violation. The costs shall constitute a special assessment against the property or a personal obligation of the person in violation.

Reason: Amends model code language regarding violation penalties and creates separate sections for clarification to distinguish between civil penalties, criminal penalties and abatement and cost recovery in accordance with local, state and federal laws.

CFC Section 202 General Definitions – Amended

~~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, and 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)

APARTMENT HOUSE. Any building or portion thereof which contains three or more dwelling units used, intended, or designed to be used, rented, leased, let or hired out to be occupied for living purposes including apartments and condominiums.

FIRE SAFETY OFFICER. 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: Definitions are added to provide clarification for terms are not defined in the model code.

CFC Section 304.1.3 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~~ Wildland-Urban Interface Areas shall be in accordance with ~~Chapter 49~~ the California Wildland-Urban Interface Code.

Reason: California Fire Code chapter 49 has been repealed with the adoption of Part 7 of title 24. Vegetation clearance requirements are now contained within the California Wildland-Urban Interface Code.

CFC Section 304.1.3.1 Clearance of Brush and Vegetative Growth from Roadways -Added

The Fire Code Official is authorized to require areas within twenty (20) feet (6096 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 trees, 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 304.1.3.2 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

A bonfire shall not be conducted within fifty 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 fifty 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(c)(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

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions, provided with a spark arrestor, and shall not be operated within fifteen 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 Area*, when such portable outdoor fireplaces are located at least fifteen 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

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 322.6 Sales Prohibited - Added (NEW)

The sale, rental, leasing, storage, repair, modification, or assembly of lithium-ion and lithium metal batteries not listed by a nationally recognized testing laboratory, including associated equipment and charging devices, shall be prohibited in the City of San Diego. Any modifications made to a listed battery or associated equipment shall void the listing.

Reason: CFC section 322.3 requires that micromobility devices be listed and labeled according to the applicable UL listing. This expands on the listing requirement and places responsibility on business owners by prohibiting the sale, rental, leasing, storage, repair, modification, or assembly of lithium-ion and lithium metal batteries not listed by a nationally recognized testing laboratory in the City of San Diego.

CFC Section 322.6.1 Documentation - Added (NEW)

Retailers, resellers, and distributors must:

- (1) Display visible proof of the applicable listing from a nationally recognized testing laboratory on each device or battery offered for sale, rental, or lease.
- (2) Provide documentation of the applicable listing upon request to consumers or the *Fire Code Official*.
- (3) Conspicuously post San Diego Fire-Rescue Department safety guidelines regarding lithium-ion battery use, storage, and charging practices at all physical retail locations and online storefronts.

Reason: Provides additional requirements for acceptable documentation to be displayed or available for review to verify compliance with the listing requirements.

CFC Section 322.6.2 Modifications Prohibited - Added (NEW)

The reconditioning, modification, or assembly of non-listed or previously used lithium-ion battery cells into new battery packs or devices is prohibited. Any alteration to a listed or certified battery or device shall render its certification void and constitute a violation of this code.

Reason: Many lithium-ion battery fires are the result of an attempt to modify battery packs or recondition batteries that were damaged or no longer hold an adequate charge. This addition prohibits the reconditioning, modification or assembly of non-listed or previously used lithium-ion battery cells into new battery packs or devices.

CFC Section 322.6.3 Financial Responsibility - Added (NEW)

Any fire, explosion, or other emergency incident resulting from a non-listed, modified, or improperly charged battery, device, or associated equipment is a violation of this code, and the party responsible may be held financially liable for all penalties, response costs, damage, and mitigation costs pursuant to Sections 104.12 and 113.4 of this code.

Reason: Clarifies that any fire, explosion, or other emergency incident resulting from a non-listed, modified, or improperly charged battery, device, or associated equipment is a violation of this code and the party responsible may be held financially responsible.

CFC Section 401.2 Approval - Amended

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

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

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 Fire Watch Personnel - Amended (NEW)

Where, 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, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, or in any occupancy where conditions inside the building create the potential for a significant hazard, the owner, agent or lessee shall provide one or more fire watch personnel, as required and approved by the Fire Code Official. Such individuals shall be subject to the Fire Code Official's orders at all times when so employed. Fire watch personnel shall comply with Sections 403.11.1.1, ~~and~~ 403.11.1.2 and 403.11.1.3.

Reason: Section 403.11 gives the fire code official the authority to require fire watch personnel for large public gatherings or other activities where it is deemed necessary for public safety. This amendment clarifies that the application of this requirement applies beyond large public gatherings, contests or activities and may also be required for any occupancy where there is an increased hazard due to current conditions inside the building. This also clarifies that these personnel are subject to the fire code official's orders when working in this capacity.

CFC Section 403.11.1.1 Duty Times - Amended (NEW)

Fire watch personnel shall remain on duty while places requiring a fire watch are open to the public, ~~or~~ when an activity requiring a fire watch is being conducted, or as directed by the Fire Code Official.

Reason: Clarifies that the duty times for fire watch personnel are subject to the requirements of the fire code official.

CFC Section 403.11.1.2 Duties - Amended (NEW)

On-duty fire watch personnel shall have the following responsibilities:

1. Inspect the required fire appliances provided to see that they are in proper place and in good working order.
- ~~1-2.~~ Keep diligent watch for fires, obstructions to means of egress and other hazards.

2.3. Take prompt measures for remediation of hazards and extinguishment of fires that occur.

3.4. Take prompt measures to assist in the evacuation of the public from the structures.

Reason: This amendment includes an additional duty for fire watch personnel to inspect the required fire appliances and ensure they are in good working order. This may include fire extinguishers or other fire protection systems to ensure that they are available for use in the event of an emergency.

CFC Section 403.11.1.3 Qualifications - Added (NEW)

Fire watch personnel shall have the following qualifications:

- (1) Fire safety training to recognize fire hazards, implement prevention techniques, and competently use a fire extinguisher or other firefighting equipment;
- (2) Immediate and direct access to 911 or other emergency services, as well as the means to promptly notify all building occupants;
- (3) Must demonstrate the ability to communicate effectively in English to facilitate critical communication with building occupants and/or San Diego Fire-Rescue Department personnel during an emergency.

Reason: The model code requires qualified fire watch personnel but does not provide any minimum requirements to be considered qualified. This section seeks to clarify the term qualified by introducing minimum qualifications for fire watch personnel based on some NFPA standards and other recognized practices.

CFC Section 403.11.1.4 Fire Safety Officers – Added (New)

Where fire watch personnel are required pursuant section 403.11.1, the *Fire Code Official* is authorized to require the presence of one or more *Fire Safety Officers* if it is determined that their presence is necessary to ensure public safety.

The City shall charge the permittee the cost of such services pursuant to section 108.2 of this code. Time cards of the assigned personnel shall constitute the official record 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 fire safety officers 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

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 (402 101.6 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 507.3 Fire Flow – Amended (New)

Fire-flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or comply with Appendix B of this code. If the required fire flow cannot be achieved, the Fire Code Official may require alternative design standards including alternative types of building construction that provides a higher level of fire resistance, automatic sprinkler systems, specified setback distances for building sites, and other requirements as authorized by this code and as required by the Fire Code Official.

Reason: The CFC states that the required fire flow for buildings shall be determined by an approved method or Appendix B. This amendment clarifies that Appendix B is the approved method to determine fire flow. It also clarifies that if the fire flow required by Appendix B cannot be met, that an alternative design or alternate means of protection must be proposed in accordance with CFC 1.11.2.4.

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 901.6.3 Records – Amended (New)

Records of all system inspections, testing, and maintenance shall be maintained in accordance with Section ~~110.3~~ 901.6.3.1 through 901.6.3.3.

Reason: The language in the model code references CFC 110.3 for records retention for inspection testing and maintenance of fire protection systems, however, this conflicts with the requirements in Title 19. This section was amended to reference sections 901.6.3.1 to 901.6.3.3 that were added to maintain consistency with Title 19 requirements and current SDFD practice requiring electronic records submission.

CFC Section 901.6.3.2 Retention Period – Added (New)

Records of all required inspections, testing, and maintenance shall be retained on the premises by the building or system owner for a period of five (5) years after the next required inspection, testing or maintenance.

Reason: Maintains consistency with retention period of 5 years required by Title 19.

CFC Section 901.6.3.3 Records Submission – Added (New)

It is the responsibility of the contractor, company, or licensee to provide a written report of the results to the building owner at the completion of the testing and maintenance. The contractor, company, or licensee shall submit an electronic copy to the San Diego Fire-Rescue Department online compliance portal within ten (10) days of the completion of testing. The building owner or their designee shall maintain a written copy of the report in a binder in the Fire Command Center or in a location approved by the *Fire Code Official*.

Reason: Maintains consistency with Title 19 requirement for the contractor, company, or licensee to provide a written report of the results to the building owner at the completion of the testing and maintenance. This amendment also seeks to clarify CFC 110.3 which specifies that the fire code official is authorized to prescribe the form and format of periodic testing. SDFD currently requires contractors to submit such records electronically to the SDFD compliance portal.

CFC Section 901.7.7 Immediate Fire Watch Required – Added (New)

Where a required fire protection system is out of service or the impairment of a fire protection system creates the potential for significant loss of life or property, the *Fire Code Official* shall have the authority to establish an immediate fire watch utilizing Fire Safety Officers until fire watch personnel, meeting qualifications of Section 403.11.1.3, arrive on site.

Reason: Qualified fire watch personnel are not always available to be on site immediately. This provision outlines the fire code official's authority to establish an immediate fire watch using SDFD personnel until qualified fire watch personnel arrive on site where there is potential for significant loss of life or property. This also includes a reference to 403.11.1.3 which establishes the qualifications for fire watch personnel.

CFC Section 1113.1.1 Application – Amended (New)

In accordance with Health and Safety Code Section 13143.2, the provisions of Sections 1113.2 through 1113.12 shall only apply to multiple-story structures existing on January 1, 1975, ~~let~~ used for human habitation, including, and limited to, apartment houses, hotels and motels wherein rooms used for sleeping are ~~let~~ located above the ground floor.

Reason: This section was amended to clarify the application of the retroactive requirements for R-1 and R-2 occupancies established by the state. Apartment houses are not currently defined in the code but were defined in the 1988 UFC which specifically included condominiums in the definition. Apartments and condominiums are not differentiated for the purposes of the code and are both treated as R-2 occupancies. The need for a fire alarm to be installed retroactively should not be based on building ownership as the risk applies equally to a condo that is owned or an apartment that is let or leased. This also recognizes that many privately owned condos are leased as short-term rentals or vacation rentals which would necessitate compliance with these provisions.

CFC Section 1113.12.3 Compliance Schedule – Added (New)

Building owners shall file a compliance schedule with the *Fire Code Official*, not later than 180 days after receipt of a written notice of violation. The compliance schedule shall not exceed 3 years for a fire alarm system retrofit.

Reason: This addition provides guidelines to establish a compliance schedule in accordance with CFC section 1101.4.2 once the need for a retroactive fire alarm has been identified.

CFC Section 1207.1 General – Amended (New)

The provisions in this section are applicable to stationary and mobile electrical energy storage systems (ESS).

Exception: ESS in Group R-3 and R-4 occupancies shall only be required to comply with Section 1207.11 except where Section 1207.11.4 requires compliance with Sections 1207.1 through 1207.9. Other Residential Occupancies shall comply with Sections 1207.1 through 1207.9, unless below the ESS Threshold Quantities in Table 1207.1.3, in which case shall comply with Section 1207.11.

Reason: CFC section 1207.11 provides requirements for ESS in Group R-3 and R-4 occupancies including vehicle impact protection, equipment listings, spacing requirements and approved locations for installations among others. These same systems could be installed in an R-1 or R-2 occupancy assuming they were under the threshold quantities in Table 1207.1.3 and would not require a permit or be held to the requirements of section 1207.11 to minimize risk to life and property. This amendment does not add any new requirements for ESS but extends the existing minimum requirements of section 1207.11 to all Group R occupancies. The lack of these basic safety requirements for ESS installations in R-1 and R-2 occupancies poses a more serious life safety risk as a fire in one of these occupancies has the potential to cause a greater loss of life and property. Risk of damage to these systems is greater due to earthquakes which increases the need to regulate these installations to ensure they conform to the minimum standards prescribed by 1207.11. Reduces potential fire risk due to vehicular damage or improper installation that could lead to catastrophic results with potential for delayed response times due to topographical conditions.

CFC Section 1207.2.1 Commissioning – Amended (New)

Commissioning of newly installed ESS and existing ESS that have been retrofitted, replaced or previously decommissioned and are returning to service shall be conducted prior to the ESS being placed in service in accordance with a commissioning plan that has been approved prior to initiating commissioning. The commissioning plan shall include the following:

1. A narrative description of the activities that will be accomplished during each phase of commissioning, including the personnel intended to accomplish each of the activities.
2. A listing of the specific ESS and associated components, controls and safety-related devices to be tested, a description of the tests to be performed and the functions to be tested.
3. Conditions under which all testing will be performed, which are representative of the conditions during normal operation of the system.

4. Documentation of the owner's project requirements and the basis of design necessary to understand the installation and operation of the ESS.
5. Verification that required equipment and systems are installed in accordance with the approved plans and specifications.
6. Integrated testing for all fire and safety systems.
7. Testing for any required thermal management, ventilation or exhaust systems associated with the ESS installation.
8. Preparation and delivery of operation and maintenance documentation.
9. Training of facility operating and maintenance staff.
10. Identification and documentation of the requirements for maintaining system performance to meet the original design intent during the operation phase.
11. Identification and documentation of personnel who are qualified to service, maintain and decommission the ESS, and respond to incidents involving the ESS, including documentation that such service has been contracted for.
12. A decommissioning plan for removing the ESS from service, and from the facility in which it is located. The plan shall include details on providing a safe, orderly shutdown of energy storage and safety systems with notification to the code officials prior to the actual decommissioning of the system. The decommissioning plan shall include contingencies for removing an intact operational ESS from service, and for removing an ESS from service that has been damaged by a fire or other event.
13. A site-specific emergency response plan that substantially conforms to the format and content provided in NFPA 855 Appendix G 11.9.

Reason: An Emergency Response Plan provides critical information to first responders needed for safe and effective mitigation of ESS emergencies. This amendment requires an emergency response plan to be included as an item on the commissioning plan for ESS in accordance with the requirements of NFPA 855 Appendix G.

CFC Section 1207.3.4 Energy Storage Management System – Amended (New)

Where required by the ESS listing, an approved energy storage management system that monitors and balances cell voltages, currents and temperatures within the manufacturer's specifications shall be provided. The system shall disconnect electrical connections to the ESS or otherwise place it in a safe

condition if potentially hazardous temperatures or other conditions such as short circuits, over voltage or under voltage are detected. The system shall transmit a trouble signal to an approved location and to an approved annunciator panel if potentially hazardous temperatures or other conditions such as short circuits, over voltage or under voltage are detected.

Reason: The most common form of energy storage management system (ESMS) is a battery management system that plays a critical role in verifying that the system parameters identified are maintained within safe values for the ESS technology involved. In addition to shutting down the system, the ESMS can also transmit system status conditions to on-site and off-site personnel to notify them of the off-normal condition. This amendment includes a requirement for an ESMS to transmit a trouble signal to an annunciator panel at an approved location to provide critical information to first responders if there are potentially hazardous conditions affecting the ESS. Necessary due to the increased risks from wildfire, earthquake damage, and unpredictable power fluctuations that are consequences of the climatic, topographical, and geological conditions in the City.

CFC Section 1207.3.4.1 Annunciator Panel – Added (New)

The annunciator panel shall visibly indicate hazardous conditions including hazardous temperatures, short circuits, over voltage or under voltage when detected. The location of the annunciator panel shall be approved by the *Fire Code Official*.

Reason: This section clarifies that where an annunciator panel is required by 1207.3.4 it must visibly indicate hazardous conditions including hazardous temperatures, short circuits, over voltage or under voltage when detected. The location of the annunciator panel shall be approved by the Fire Code Official. Necessary due to the increased risks from wildfire, earthquake damage, and unpredictable power fluctuations that are consequences of the climatic, topographical, and geological conditions in the City.

CFC Section 1207.7 – 1207.7.2 Indoor Installations – Amended (New)

Table 1207.7
Indoor ESS Installations

Compliance Required		DEDICATED-USE BUILDINGS^a	NONDEDICATED-USE BUILDINGS^b
Feature	Section		
Dwelling units and sleeping units	1207.7.3	N/A	Yes
Compliance Required		DEDICATED-USE BUILDINGS^a	NONDEDICATED-USE BUILDINGS^b
Feature	Section		
<u>Prohibited ESS installation locations</u>	<u>1207.7.3</u>		
Elevation	1207.5.3	Yes	Yes
Fire suppression systems	1207.5.5	Yes ^e	Yes
Fire-resistance-rated separations	1207.7.4	Yes	Yes
General installation requirements	1207.4	No	Yes
Maximum allowable quantities	1207.5.2	Yes	Yes
Size and separation	1207.5.1	Yes	Yes
Smoke and automatic fire detection ^a	1207.5.4	Yes ^d	Yes
Technology specific protection	1207.6	Yes	Yes

NA = Not Allowed.

a. See Section 1207.7.1.

b. See Section 1207.7.2.

c. Where approved by the fire code official, fire suppression systems are permitted to be omitted in dedicated-use buildings located more than 100 feet (30.5 m) from buildings, lot lines, public ways, stored combustible materials, hazardous materials, high piled stock and other exposure hazards.

d. Where approved by the fire code official, alarm signals are not required to be transmitted to a central station, proprietary or remote station service in accordance with NFPA 72, or a constantly attended location where local fire alarm annunciation is provided and trained personnel are always present.

e.g. Lead-acid and nickel-cadmium battery systems installed in Group U buildings and structures less than 1,500 square feet (139 m²) under the exclusive control of communications utilities, and operating at less than 50 VAC and 60 VDC in accordance with NFPA 76, are not required to have an approved automatic smoke or fire detection system.

~~1207.7.1 Dedicated-use buildings.~~

~~For the purpose of Table 1207.7, dedicated-use ESS buildings shall be classified as Group F-1 occupancies and comply with all the following:~~

- ~~1. The building shall only be used for ESS, electrical energy generation and other electrical grid-related operations.~~
- ~~2. Occupants in the rooms and areas containing ESS are limited to personnel that operate, maintain, service, test and repair the ESS and other energy systems.~~
- ~~3. No other occupancy types shall be permitted in the building.~~
- ~~4. Administrative and support personnel shall be permitted in areas within the buildings that do not contain ESS, provided that:~~
 - ~~4.1. The areas do not occupy more than 10 percent of the building area of the story in which they are located.~~
 - ~~4.2. A means of egress is provided from the incidental use areas to the public way that does not require occupants to traverse through areas containing ESS or other energy system equipment.~~

~~1207.7.2 Nondedicated-use buildings.~~

~~For the purpose of Table 1207.7, nondedicated-use buildings include all buildings that contain ESS and do not comply with Section 1207.7.1 dedicated-use building requirements.~~

Reason: This section is amended to remove references to dedicated use and non-dedicated ESS buildings and the associated table 1207.7. Dedicated use buildings pose a significant hazard due to the increased risks from wildfire, earthquake damage, and unpredictable power fluctuations and may also affect fire access, response times and water availability.

CFC Section 1207.7.3 Prohibited ESS Installation Locations – Amended (New)

1207.7.3 ~~Dwelling units and sleeping units~~ Prohibited ESS Installation Locations.

ESS shall not be installed in ~~sleeping units or in habitable spaces of dwelling units~~ in any of the following locations:

- (1) Sleeping units.
- (2) Dwelling units.
- (3) Electrical rooms.

Exception. In nondedicated electrical rooms containing equipment supported by the ESS as approved by the *Fire Code Official*.

(4) Rooms and areas housing the fire alarm control panel, fire pump, emergency responder communications enhancement systems equipment, and other fire protection and life safety system equipment as determined by the *Fire Code Official*.

Reason: This section was amended to include additional prohibited locations for ESS including dwelling units due to the life safety risk and electrical rooms and rooms and areas housing fire protection or life safety systems to maintain fire department access in the event of an emergency. Necessary due to the increased risks from wildfire, earthquake damage, and unpredictable power fluctuations and may also affect fire access, response times and water availability.

CFC Section 1207.7.4 Fire-Resistance-Rated Separations – Amended (New)

~~Rooms and areas containing ESS shall include fire-resistance-rated separations as follows:~~

~~1. In dedicated-use buildings, rooms and areas containing ESS shall be separated from areas in which administrative and support personnel are located.~~

~~2. In nondedicated-use buildings, rooms and areas containing ESS shall be separated from other areas in the building.~~

Rooms and areas containing ESS shall be separated from other areas in the building Separation shall be provided by 2-hour fire barriers constructed in accordance with Section 707 of the California Building Code and 2-hour horizontal assemblies constructed in accordance with Section 711 of the California Building Code, as appropriate.

Reason: This section was amended for consistency with the removal of dedicated use buildings in 1207.7.1 and requires rooms and areas containing ESS shall be separated from other areas in the building by 2-hour fire barriers as specified for non-dedicated buildings.

CFC Section 1207.11 ESS in Group R Occupancies – Amended (New)

ESS in all Group R-3 and R-4 occupancies and Other Residential Occupancies below the ESS Threshold Quantities in Table 1207.1.3, shall be in accordance with Sections 1207.11.1 through 1207.11.9.

Exceptions:

1. ESS listed and labeled in accordance with UL 9540 and marked “For use in residential dwelling units,” where installed in accordance with the manufacturer’s instructions and the California Electrical Code.

2. ESS rated less than 1 kWh (3.6 megajoules).

Reason: This amendment requires ESS below threshold quantities in Table 1207.1.3 installed R-1 and R-2 occupancies to comply with the provisions of 1207.11. See explanation for 1207.1.

CFC Section 3307.2.1 Combustible Building Materials – Amended (New)

When combustible building materials of the building under construction are delivered to a site, a minimum fire flow of ~~500~~ 1,000 gallons per minute (~~1893~~ 3786 L/m) shall be provided. The fire hydrant used to provide this fire-flow supply shall be within 500 feet (152 m) of the combustible building materials, as measured along an approved fire apparatus access lane. Where the site configuration is such that one fire hydrant cannot be located within 500 feet (152 m) of all combustible building materials, additional fire hydrants shall be required to provide coverage in accordance with this section.

Reason: This section was amended for consistency with the minimum fire flow permitted in Table B105.1 (1) (as amended locally). The amendment increases the minimum fire flow from 500 to 1,000 gpm when combustible materials arrive on site which can typically be provided from a single hydrant. 500 gpm is not a sufficient fire flow to extinguish a large fire or protect exposures to buildings. There is also increased risk of a wildfire igniting multiple piles of building materials or those ignited building materials extending to flammable vegetation.

CFC Section 3307.2.2 Vertical Construction of Types III, IV and V Construction – Amended (New)

Prior to commencement of vertical construction of Type III, IV or V buildings that utilize any combustible building materials, the fire flow required ~~by Sections 3307.2.2.1 through 3307.2.2.3~~ for the building when constructed shall be provided, accompanied by fire hydrants in sufficient quantity to deliver the required fire flow and proper coverage.

~~3307.2.2.1 Fire separation up to 30 feet.~~

~~Where a building of Type III, IV or V construction has a fire separation distance of less than 30 feet (9144 mm) from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide either a minimum of 500 gallons per minute (1893 L/m) or the entire fire flow required for the building when constructed, whichever is greater.~~

~~3307.2.2.2 Fire separation of 30 feet up to 60 feet.~~

~~Where a building of Type III, IV or V construction has a fire separation distance of 30 feet (9144 mm) up to 60 feet (18 288 mm) from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide a minimum of 500 gallons per minute (1893 L/m) or 50 percent of the fire flow required for the building when constructed, whichever is greater.~~

~~3307.2.2.3 Fire separation of 60 feet or greater.~~

~~Where a building of Type III, IV or V construction has a fire separation of 60 feet (18 288 mm) or greater from a property lot line, a water supply of 500 gallons per minute (1893 L/m) shall be provided.~~

Reason: Removes sections 3307.2.2.1 – 3307.2.2.3 which consider a building's distance to the property line when determining fire flow and instead requires the full fire flow required for the building when constructed to be available prior to vertical combustible construction commencing. Buildings under construction are much more vulnerable to fire as they do not have many of the fire rated components installed and required fire protection systems such as automatic sprinklers may not be installed or functional for some time. This is the most critical time to have the full fire flow required for the building as the only fire protection will be through manual suppression efforts by the fire department. 500 gpm as currently permitted by the CFC for buildings more than 60 feet from a property line would be severely inadequate to extinguish or control any significant fire which due to the lack of compartmentalization and fire resistive coverings produce significant radiant heat and embers. This also conflicts with the minimum fire flow established by Table B105.1 (1) or B105.2 as applicable. Climatic conditions including high winds and dry brush make uncontrolled fires a significant concern and may lead to large conflagrations or wildfires.

CFC Section 3307.4 Standpipe Supply – Amended (New)

Regardless of the presence of combustible building materials, the construction type or the fire separation distance, where a standpipe is required in accordance with Section 3307.5, a water supply providing a minimum flow of ~~500~~ 1,000 gallons per minute (~~1893~~ 3786 L/m) shall be provided. The fire hydrant used for this water supply shall be located within 100 feet (30 480 mm) of the fire department connection supplying the standpipe.

Reason: This section was amended for consistency with the minimum fire flow permitted in Table B105.1 (1) (as amended locally) and increases the minimum fire flow from 500 to 1,000 gpm when a standpipe is required, which can typically be provided from a single hydrant. 500 gpm is not a sufficient

fire flow to extinguish a large fire or protect exposures to buildings. There is also increased risk of a fire in a multiple story building extending to flammable vegetation. This is not an increase to the fire flow requirement but rather ensuring that the water is available before a standpipe is required when construction exceeds 40 feet in height.

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 HAZMAT Program shall be administered by the Fire Code Official and their designee(s), 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 their 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.
- (3) The owner, or other persons having charge or control of the premises shall provide information requested under this section within 15 days.
- (4) 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 their 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 Appendix B Table B105.1(1) – Amended

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 Value in Table B105.1(2)	4 Duration in Table B105.1(2)
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
0-3,600	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	500 <u>1,000</u>	1 1/2 Duration in Table B105.1(2) at the required fire- flow rate
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>	1/2 50% of the value in Table B105.1(2)	4 Duration in Table B105.1(2) at the required fire- flow rate

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. Climatic and topographical conditions create increased potential for significant wildfires and large conflagrations requiring more water available for fire flow.

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. Climatic and topographical conditions create increased potential for significant wildfires and large conflagrations requiring more water available for fire flow.

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 <u>400</u>	225
2,751–3,250	3	400 <u>350</u>	225
3,251–4,000	4	350 <u>300</u>	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.

- 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 ~~42~~ 13 feet (~~3658~~ 3964 mm).
- (b) In Wildland-Urban Interface Areas gate entrances shall be at least two 2 feet (610 mm) wider than the width of the traffic lane(s) serving that gate

and a minimum width of 14 feet (4267 mm) unobstructed horizontal clearance.

- (c) All gates shall have an unobstructed vertical clearance of 13 feet 6 inches (4115 mm).
- (d) Gates shall be of the horizontal swing, horizontal slide, vertical lift or vertical pivot type.
- (e) Construction of gates shall be of materials that allow manual operation by one person.
- (f) Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
- (g) 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*.
- (h) Methods of locking shall be submitted for approval by the *Fire Code Official*.
- (i) Electric gate operators, where provided, shall be listed in accordance with UL 325.
- (j) Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

Reason: This section provides minimum requirements for gates installed across fire apparatus access roads to ensure that fire access is not obstructed and response times are not delayed. This section was amended in the 2022 code cycle to maintain the established minimum gate width of 13'. This section is being updated again in the 2025 code cycle to recognize the minimum 14' clear width required by CCR Title 14 1273.01 in WUI areas which is now also included in the 2025 CWUIC section 403.1.2. It also clarifies that the minimum width of 13' is only applicable for divided roadways where the gate serves a single lane, but where a single gate spans a 20' fire access road the gate must provide the full clear width of 20'.

CFC Appendix D Section D103.6 Fire Lane Markings – Amended (New)

Where required by the *Fire Code Official*, fire apparatus access roads shall be marked with permanent “NO PARKING—FIRE LANE” signs or painted curbs or roadways complying with ~~Figure D103.6~~ California Vehicle Code Section 22500.1. 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. 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 required in California Vehicle Code section 22500.1 and allows for alternative methods of marking a fire lane including painting of the road or curbs in addition to the requirement for signs as specified in the model code language.

CFC Appendix D Section D103.6.1 Roads 20 to 26 28 feet in width – Amended (New)

Fire lane ~~signs~~ markings as specified in Section D103.6 shall be posted or painted on both sides of fire apparatus access roads that are 20 to ~~26~~ 28 feet wide (6096 to ~~7925~~ 8534 mm).

Reason: This amendment modifies the model code language for road widths requiring fire lane markings to reflect a deduction of 8’ for a parked vehicle to ensure a clear width of 20’ is maintained for fire department vehicle access. Model code language only attributes a loss of 6’ of clear width which is not adequate considering the width of many modern vehicles. This amendment does not affect the minimum required road width as specified in CFC section 503.2.1 and the intent is only to ensure that the minimum established width is maintained.

CFC Appendix D Section D103.6.2 Roads more than 26 28 feet in width – Amended (New)

Fire lane ~~signs~~ markings as specified in Section D103.6 shall be posted or painted on one side of fire apparatus access roads more than ~~26~~ 28 feet wide (~~7925~~ 8534 mm) and less than ~~32~~ 36 feet wide (~~9754~~ 10 973 mm).

Reason: This amendment modifies the model code language for road widths requiring fire lane markings to reflect a deduction of 8' for a parked vehicle to ensure a clear width of 20' is maintained for fire department vehicle access. Model code language only attributes a loss of 6' of clear width which is not adequate considering the width of many modern vehicles. This amendment does not affect the minimum required road width as specified in CFC section 503.2.1 and the intent is only to ensure that the minimum established width is maintained.

CFC Appendix D Section D106.2. Projects Having More Than 200 Dwelling Units Located in a Wildland-Urban Interface Area - Amended

Multiple-family residential ~~projects~~ developments of more than 30 dwelling units located in a *Wildland-Urban Interface Area*, 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 amendment 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 Wildland-Urban Interface Area, 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. 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 San Diego Municipal Code, Chapter 3, Article 3, Division 37.

§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 *Fire-Rescue Chief*, or their designee.

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).

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 the San Diego Municipal 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 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.