



FIRE BOARD AGENDA STAFF REPORT

December 3, 2019
Consent

SUBJECT:

Waive second reading and read by title only, an Ordinance adopting by reference the 2019 Editions of the California Fire Code, Code of Regulations Title 24, and related model codes and appendices, along with amendments based on express findings of local necessity, and repealing American Canyon Fire Protection District ("District") Ordinance 2016-01 and all Other Ordinances and parts of Ordinances in conflict therewith.

SUBMITTED BY:

Glen E. Weeks, Fire Chief

EXECUTIVE SUMMARY

The California State Building Standards Code Commission has released the 2019 Edition of the California Code of Regulations, which becomes effective January 1, 2020. This process represents the triennial code adoption updating the City and District Codes and provides an opportunity to incorporate local amendments for portions of the 2019 California Building Standards and the 2019 Fire Code, thereby, creating local editions. There is no fiscal impact associated with this item.

BACKGROUND AND ISSUES:

The model codes adopted by the State are reviewed and updated every three years by various industry groups, including the International Code Council (ICC), the National Fire Protection Association (NFPA), and the International Association of Plumbing and Mechanical Officials (IAPMO). The publication of new code editions by these organizations triggers State consideration and adoption of the codes to be used by the state agencies, and all the city and county jurisdictions within the State. Once adopted by the State, local jurisdictions are required to enforce the California Building Standards Code.

The California Health and Safety Code contain provisions for local jurisdictions to modify the California Building Standards Code, and adopt different or more restrictive requirements under two conditions:

- The local modifications must be substantially equivalent to, or more stringent than, building standards published in the California Building Standards Code; and
- The local jurisdiction is required to make specific or express findings that such changes are reasonably necessary because of local climatic, geological or topographic conditions.

The District last adopted the California Building Standards Code and local amendments in 2016. Staff recommends adopting the newly revised California Building Standards and Fire Codes, along with approving local amendments to address the District's specific seismic safety and fire related hazards. If approved, the effective date of these new regulations will be January 1, 2020.

The municipal building divisions and fire agencies within Napa County, as well as the County itself, have been working together to minimize local amendments to effectuate consistent regulations throughout the area. As a result, the proposed local amendments for the District have been reduced to those deemed necessary due to the seismic and fire dangers present in our region, along with certain administrative provisions. A local jurisdiction must adopt the current California Building and Standards Code in order to also adopt local amendments.

FINANCIAL IMPACT:

No fiscal impacts to the District are expected due to this Code adoption.

ENVIRONMENTAL DETERMINATION:

The adoption of this ordinance is exempt from review under the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*, "CEQA") as the Ordinance is not a "Project" as defined under CEQA. Moreover, the Ordinance is exempt from review pursuant to the CEQA Guidelines (California Code of Regulations Title 14, Chapter 3) consistent with, among other things, CEQA Guidelines Section 15061(b)(3) (proposed action has no potential for causing a significant impact on the environment), Section 15308 (action by regulatory agency for the protection of the environment), Section 15321 (enforcement actions by regulatory agency), and Section 15378 (general policy and procedure making).

ALTERNATIVES/IMPACTS:

The Fire Board may reject this recommendation, which would result in enforcement of the California Building and Fire Codes without the specific local amendments necessary to protect the citizens and structures within the District.

STAFF RECOMMENDATIONS:

Staff recommends that the Board of Directors adopt the following findings and introduce an Ordinance adopting the 2019 Editions of the California Code of Regulations Title 24, Part 9 and related model codes with appendices and amendments as identified through express findings of local necessity, repealing District Ordinance 2016-01 and applying the new Ordinance of the District with local amendments to those codes.

1. Adopt a finding that the proposed ordinance amendment is not a project that has the potential for causing a significant effect on the environment and therefore is not subject to review under the California Environmental Quality Act (CEQA). In addition, the proposed ordinance amendment

is exempt under the definition of project in CEQA Guidelines Section 15378 (b)(3) in that it concerns general policy and procedure making.

2. Adopt the findings in proposed Ordinance related to local climatic, geological and topographic conditions that make necessary local amendments to *Title 24, Part 9 of the California Building Standards Code*:
 - Climatic: The American Canyon Fire Protection District experiences periods of high temperatures, accompanied by low humidity and seasonal high winds. These conditions create an environment in which the Fire Department would need to fully commit available firefighting resources to the control and extinguishment of wildland fires. During such periods, the limited available firefighting resources may have greater difficulty in controlling fires in structures not having built-in fire protection.
 - Geological: The American Canyon Fire Protection District is located in a region that contains active fault zones: the San Andreas, Hayward, Calaveras and Healdsburg-Rogers Creek. Three active faults are located within Napa County: the Cordelia, Green Valley and West Napa. After a large seismic event, the potential for multiple fires occurring simultaneously will tax available firefighting resources. Built-in fire protection will assist in extinguishing or controlling fires in structures, which will increase the availability of firefighting resources after a seismic event.
 - Topographical: The American Canyon Fire Protection District is divided geographically in to three parts by the north/south orientation of State Highway 29. The east and west portions of the city contain steep hillsides with residential development intermixed. These natural and man-made barriers can serve as severe impediments to the delivery of public safety services due increased response times and delays in fire suppression efforts due to flooding or traffic congestion. An extended response time allows fires to grow beyond the control of initial attack fire suppression resources. Built in fire protection in the form of automatic fire sprinklers has proven effective in controlling and extinguishing fires in the incipient stages.
3. Adopt Ordinance No. 2019-01, adopting the California Building Standards and the 2019 California Fire Code, California Code of Regulations Title 24, Part 9 with amendments thereto.

Attachments:

Proposed District Ordinance No. 2019-03, repealing Ordinances 2016-01 adopting the specified California Building and Fire Codes with amendments thereto, and enacting a new Fire District Ordinance.

Copies to: Napa County



SUMMARY OF AMERICAN CANYON BOARD OF DIRECTORS ORDINANCE 2019-03

THE BOARD OF DIRECTORS OF THE AMERICAN CANYON FIRE PROTECTION DISTRICT HEREBY ORDAIN AS FOLLOWS:

The American Canyon Fire Protection Board of Directors at the December 3, 2019 meeting adopted Ordinance #2019-03 adopting by reference the 2019 Edition of the California Regulations Title 24, Part 9 and related model codes with appendices and amendments as identified herein through express findings of local necessity, and repealing all conflicting Ordinances and parts of Ordinances, and applying the new Ordinance of the District, and Title 24, 2019 Edition of the California Building Standards Code

The motion to adopt the Ordinance was carried by the following roll call vote:

AYES: Chairman Garcia, Vice-Chair Aboudamous, Board Members Joseph, Leary and Oro

NOES:


ABSTAIN:

ABSENT/EXCUSED:

This Ordinance shall be in effect on January 3, 2020.

The full text of this Ordinance is available for review in the Office of the District Clerk during regular business hours, 911 Donaldson Way East, American Canyon.

BY ORDER OF THE AMERICAN CANYON FIRE PROTECTION BOARD OF DIRECTORS



Glen E. Weeks, District Clerk

Publish: December 10, 2019

