



CITY OF LARKSPUR
Staff Report

November 16, 2022, City Council Meeting

DATE: November 9, 2022

TO: Honorable Mayor Hillmer and the Larkspur City Council

FROM: Ruben Martin, Fire Chief
Chris Geul, Fire Inspector

SUBJECT: INTRODUCE AND WAIVE FIRST READING OF ORDINANCE 1063 REPEALING AND RE-ENACTING CHAPTER 14.04, ADOPTING THE 2022 CALIFORNIA FIRE CODE AND APPENDIX A OF THE 2021 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE WITH AMENDMENTS SUPPORTED BY LOCAL FINDINGS AND SETTING A PUBLIC HEARING FOR ADOPTION OF THE ORDINANCE

ACTION REQUESTED

Staff recommends that the City Council: 1) introduce the proposed Ordinance 1063 adopting the 2022 California Fire Code prescribing regulations governing conditions hazardous to life and property from fire or explosion, providing for the issuance of permits for hazardous uses or operations, and establishing a bureau of fire prevention and providing officers therefore and defining their powers and duties, and repealing Ordinance 1042; and 2) set a public hearing on the proposed ordinance for December 7, 2022.

BACKGROUND

International Fire Codes are published on a triennial basis (last cycle in 2019). The California Building Standards Commission then reviews the model code and determines changes to be made for the California Fire Code. Once the California Fire Code is published, local jurisdictions have 180 days to amend and adopt the codes for their own jurisdiction; otherwise the California Code becomes the default code for the jurisdiction. The 2022 California Fire Code was "published" on July 01, 2022. The 180-day amending/adopting period ends on December 31, 2022. The previous ordinance (No. 1042) adopted in 2019 amended and adopted the 2019 "California Fire Code".

During the summer of 2022, the Fire Prevention Officers Section of the Marin Fire Chiefs Association formed a committee for the purpose of cooperatively drafting and reviewing the proposed amendments to make the same or similar amendments to each of their adoptive local ordinances.

Most of the language in the proposed ordinance comes directly from the previously adopted ordinances and/or the Marin Fire Prevention Officer meetings.

AGENDA ITEM 8.2

There are no philosophical changes in the proposed ordinance over the last Ordinance 1042 adopted by the City Council in 2019.

Changes to the model, state, and local fire codes are promulgated by numerous factors. Authorities having jurisdiction, professional organizations, and committees at international, national, regional, state and local levels review proposed changes based on research and technology, documented failures and/or tragedies, changing conditions and the like. These proposed changes then go through an extensive technical and public review process before they are approved and promulgated.

Changes to the Fire Code for Larkspur are based on findings of fact regarding local topographic, geologic, and climatic factors, as required by state regulation.

The provisions contained in the fire code can be of substantial positive impact to the community. For example, requirements for the installation of fire sprinklers have been part of Larkspur's Fire Code for longer than almost anywhere in California and the nation. This requirement has reduced fire losses and has made the City of Larkspur safer. The adoption of the proposed ordinance will continue to improve the health and safety of the citizens of Larkspur and improve their quality of life.

FISCAL IMPACT

Minimal fiscal impact from the collection of permit fees.

ENVIRONMENTAL STATUS

The proposed ordinance amendment to Title 14 to adopt and amend the 2022 California Fire Code is exempt from the requirements of CEQA as provided by Section 15061 (b) (3) of the guidelines. This section advises that CEQA applies only to projects which have potential for causing a significant effect on the environment. Where it can be determined with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment, the activity is not subject to CEQA.

STAFF RECOMMENDATIONS

Recommended City Council Action: Introduce and waive the first reading of Ordinance 1063; and set a public hearing on the proposed ordinance for December 6, 2022.

Respectfully submitted,
Ruben Martin, Fire Chief
Chris Geul, Fire Inspector

Attachments

1. Draft Ordinance 1063

CITY OF LARKSPUR
ORDINANCE 1063

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LARKSPUR
AMENDING SECTIONS OF TITLE 14 (FIRE PREVENTION) OF THE LARKSPUR
MUNICIPAL CODE BY REPEALING AND RE-ENACTING CHAPTER 14.04,
ADOPTING BY REFERENCE AND AMENDING PROVISIONS OF THE 2021
CALIFORNIA FIRE CODE, THE 2021 INTERNATIONAL FIRE CODE, AND APPENDIX
A OF THE 2021 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE WITH
AMENDMENTS SUPPORTED BY LOCAL FINDINGS, PRESCRIBING REGULATIONS
GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR
EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS
USES OR OPERATIONS; AND DEFINING THE POWERS AND DUTIES OF THE
CENTRAL MARIN FIRE AUTHORITY AND OFFICERS**

WHEREAS, Title 14 of the Larkspur Municipal Code (“LMC”) currently contains the City’s fire prevention standards (“Fire Code”) and adopts by reference the 2022 California Fire Code, which incorporates the International Fire Code (“CFC”);

WHEREAS, the 2022 California Building Standards Code, including Part 9, 2022 California Fire Code, has been amended and adopted by the California Building Standards Commission;

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

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

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

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

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

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

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

Section 1. Recitals. The above recitals are true and correct and incorporated herein by reference.

Section 2. City of Larkspur Municipal Code Amendment. Title 14, Chapter 14.04 is hereby repealed and replaced in its entirety to read as follows:

**CHAPTER 14.04
FIRE CODE**

Sections:

- 14.04.010 ADOPTION OF THE 2022 CALIFORNIA FIRE CODE AND APPENDIX A OF THE 2021 INTERNATIONAL WILDLAND URBAN INTERFACE CODE**
- 14.04.020 ESTABLISHMENT AND DUTIES OF THE CENTRAL MARIN FIRE AUTHORITY FIRE PREVENTION BUREAU**
- 14.04.030 DEFINITIONS**
- 14.04.040 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II, AND CLASS III LIQUIDS IN OUTSIDE ABOVEGROUND TANKS IS PROHIBITED**
- 14.04.050 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II, AND CLASS III LIQUIDS IN ABOVEGROUND TANKS IS PROHIBITED**
- 14.04.060 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF STATIONARY TANKS OF FLAMMABLE CRYOGENIC FLUIDS IS TO BE PROHIBITED**
- 14.04.070 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF LIQUIFIED PETROLEUM GASSES IS TO BE RESTRICTED**
- 14.04.080 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED**
- 14.04.090 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED**

- 14.04.100 ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF HAZARDOUS MATERIALS IS TO BE PROHIBITED OR LIMITED
- 14.04.110 AMENDMENTS MADE TO THE 2022 CALIFORNIA FIRE CODE, 2021 INTERNATIONAL FIRE CODE
- 14.04.120 AMENDMENTS MADE TO APPENDIX A OF THE 2021 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE
- 14.04.130 FINDINGS
- 14.04.140 APPEALS
- 14.04.150 PENALTIES
- 14.04.160 FORMER ORDINANCES
- 14.04.170 VALIDITY

14.04.010 ADOPTION OF 2022 CALIFORNIA FIRE CODE AND APPENDIX A OF THE 2021 INTERNATIONAL WILDLAND URBAN INTERFACE CODE

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

1. The 2022 California Fire Code, which consists of certain portions of the 2021 edition of the International Fire Code as amended by the California Building Standards Commission, and the International Fire Code published by the International Fire Code Council, Inc., 2021 Edition, except as each are amended in Section 15.02.110 of this Code; the following appendices and additional section, set forth in the 2022 California Fire Code and 2021 International Fire Code
 - a. Division II of Chapter 1 ADMINISTRATION
 - b. Appendix 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
 - c. Appendix B FIRE FLOW REQUIREMENTS FOR BUILDINGS
 - d. Appendix BB FIRE FLOW REQUIREMENTS FOR BUILDINGS
 - e. Appendix C FIRE HYDRANTS LOCATIONS AND DISTRIBUTION; except as amended in section 15.02.110 of this code
 - f. Appendix CC FIRE HYDRANTS LOCATIONS AND DISTRIBUTION
 - g. Appendix E HAZARD CATEGORIES
 - h. Appendix F HAZARD RANKING
 - i. Appendix G CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS
 - j. Appendix H HAZARDOUS MATERIALS MANAGEMENT PLAN AND HAZARDOUS MATERIAL INVENTORY STATEMENTS

k. Appendix O TEMPORARY HAUNTED HOUSES, GHOST WALKS AND SIMILAR AMUSEMENT USES.

2. Appendix A of the 2021 edition of the International Wildland-Urban Interface Code, except as amended in Section 14.04.110 of this Code.

Where conflicts occur between the provisions of the 2022 California Fire Code and 2021 International Fire Code, the provisions of the more restrictive code shall apply. Not less than one (1) copy of the Codes and Standards hereby adopted is filed in the office of the Fire Marshal of the Central Marin Fire Authority and the same are hereby adopted and incorporated fully as if set out at length herein, and from the date on which this Ordinance shall take effect, and the provisions thereof shall be controlling within the limits of the City of Larkspur.

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

The 2022 California Fire Code, which consists of certain portions of the 2021 edition of the International Fire Code as amended by the California Building Standards Commission, and Appendix A of the 2021 edition of the International Wildland-Urban Interface Code as adopted and amended herein, shall be enforced by the Fire Prevention Bureau of the Central Marin Fire Authority and shall be operated under the Fire Code Official

14.04.030 DEFINITIONS

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

- (a) Whenever the words "Fire Code" are used they shall mean those Codes and Standards adopted in Section 1 of this Ordinance.
- (b) Wherever the term "Counsel" is used in the Fire Code, it shall be held to mean the attorney for the City of Larkspur.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14.04.110 AMENDMENTS MADE TO THE 2022 CALIFORNIA FIRE CODE, 2021 INTERNATIONAL FIRE CODE, AND 2021 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE

The 2022 California Fire Code is amended to read as follows:

CHAPTER 1
SCOPE AND ADMINISTRATION

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

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

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

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

1. Construction and designed provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Provisions of this code pertaining to the interior of the structure when specifically required by this code including, but not limited to, Section 903.2 and Chapter 12 shall apply. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall also apply
2. Administrative, operational and maintenance provisions of this code shall apply.

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

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

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

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

Section 104.13 is hereby added to Chapter 1 and shall read as follows:

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Section 104.13. **Fire Prevention Resource Sharing.** Other enforcement agencies shall have authority to render necessary assistance in plan review, inspection, code interpretation, enforcement, investigation and other fire prevention services when requested to do so.

Section 105.5 of Chapter 1 is hereby amended by adding the following additional operational permits:

105.5 Required Operational Permits. The fire code official is authorized to issue operational permits for operations set forth in Sections 105.5.1 through 105.5.55

Section 105.5.55 of Chapter 1 is hereby added to read as follows:

105.5.55 Local Operational Permits. In addition to the permits required by section 105.5, the following permits shall be obtained from the Fire Prevention Bureau prior to engaging in the following activities, operations, practices or functions:

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

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

Section 105.6 Required Construction Permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.25

Section 105.6.25 of Chapter 1 is hereby added to read as follows:

105.6.25 Local Construction Permits. In addition to the permits required by section 105.6, the following permits shall be obtained from the Fire Prevention Bureau prior to installation of the following:

1. **Exterior Wildfire Protection Systems.** A construction permit is required for the installation of or design modification to an Exterior Wildfire Protection System as regulated by section 918.
2. **Home Backup Generator.** A construction permit is required for the installation of a home backup generator as regulated by section 1218.
3. **Vegetation Management Plan.** A construction permit is required to implement a vegetation management plan.

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

Section 112.4 **Violation Penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 dollars or by imprisonment not exceeding 180 months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

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

Section 112.4.2 of Chapter 1 is added to read as follows:

Section 112.4.2 **Abatement of Clearance of Brush or Vegetative Growth from Structures.** The executive body is authorized to instruct the Fire Code Official to give notice to the owner of the property upon which conditions regulated by section 304.1.2 of Chapter 3 and section 4906 and 4907 of Chapter 49 exists to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

Section 112.4.3 is hereby added to Chapter 1 and shall read as follows:

112.4.3 **Corrective Actions**

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

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prosecutorial discretion. Nothing in this section shall be construed as imposing a duty on the City, or on City officers, agents, or employees.

Section 113.4 of Chapter 1 is hereby amended to read as follows:

Section 113.4 **Failure to Comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine not less than \$100 dollars or more than \$1000 dollars.

Section 115 is hereby added to Chapter 1 and shall read as follows:

Section 115 **DAMAGES AND EXPENSE RECOVERY**

Section 115.1 **Damages and Expense Recovery.** The expense of securing any emergency that is within the responsibility for enforcement of the Fire Chief as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.

CHAPTER 2 **DEFINITIONS**

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

ALL WEATHER SURFACE shall mean A/C paving, or concrete capable of supporting 70,000 gross vehicle weight. Grades up to and including 18% may be of A/C paving. Grades greater than 18% shall be of concrete curb-cut so as to allow for water run-off and traction.

Exception: Materials approved by the Fire Code Official.

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

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

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

DRIVEWAY is a vehicular ingress/egress access route that serves no more than two dwelling units, not including accessory structures. Driveways shall provide a

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minimum unobstructed width of 12 feet (16 feet in the WUI) and a minimum unobstructed height of 15 feet. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and less than 20 feet in width shall be provided with turnouts in addition to turnarounds.

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

EXTERIOR WILDFIRE PROTECTION SYSTEM An approved system of devices and equipment which is automatically or manually activated to discharge water and or an approved fire-extinguishing agent onto the structure and or the exterior of the structure to hydrate the Immediate Zone 0 (0-5 feet from the home, including the home) and the Intermediate Zone 1 (5-30 feet from the home).

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

HOME BACKUP GENERATOR. A permanent, fixed installation, internal combustion engine-driven device that provides temporary electrical power to a Group R-3 and R-4 Occupancies.

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

OCCUPANCY CLASSIFICATION is modified to include:

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

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

Section 202 [P] of Chapter 2 is hereby amended by adding the following general definition(s):

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

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

Section 202 [S] of Chapter 2 is hereby amended by adding the following general definition(s):

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

having a diameter larger than 1/2 inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.

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

Section 202 [T] of Chapter 2 is hereby amended by adding the following general definition(s):

TARGET HAZARD is defined as a location or plausible scenario in which a fire department or fire district could quickly become overwhelmed and for which additional resources, now scarce, would be needed.

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

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

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

CHAPTER 3 **GENERAL REQUIREMENTS**

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

PUBLIC STORAGE FACILITY

California Fire Code, Section 304.1.2 is amended to read as follows:

304.1.2 Vegetation. Weeds, grass, vines, or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in all areas shall be in accordance with Chapter 3 and Chapter 49. Vegetation clearance requirements in Wildland-Urban Interface areas shall be in accordance with Chapter 49.

Section 324 is hereby added to Chapter 3 and shall read as follows:

Section 324 Public Storage Facilities

Section 324.1 **General.** Public Storage Facilities shall comply with the provisions of this section.

Section 324.2 **Location on Property and Fire Resistance of Exterior.** All public storage facilities shall meet the minimum requirements for setback from property lines or fire resistive construction as set forth in Table 601 of the Building Code for Group S, Division 1 occupancies.

Section 324.3 **Fire Apparatus Access.** All public storage facilities shall have fire apparatus access roads provided in accordance with Section 503.

Section 324.4 **Storage of Flammable and Combustible Liquids and Hazardous Materials.** The storage of hazardous materials or flammable or combustible liquids in public storage facilities is prohibited. Such facilities shall post legible and durable sign(s) to indicate the same in a manner and location(s) as specified by the Fire Code Official. This section shall apply to new and existing public storage facilities.

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

CHAPTER 4 **EMERGENCY PLANNING AND PREPAREDNESS**

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

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

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

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

Section 401.3.2.2 is added to read as follows:

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

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

PRE-PLANS

**TARGET HAZARDS
UNWARRANTED ALARMS**

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

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

Section 403.9.1.4 is hereby added to Chapter 4 and shall read as follows:

Section 403.9.1.4 **Emergency Preparedness for Hotels, Lodging and Congregate Houses.** Hotels, lodging and congregate houses shall provide guests with immediate access to a telephone to report emergencies. The exit diagram shall indicate the location of the nearest telephone and instructions to dial 911.

CHAPTER 5
FIRE SERVICE FEATURES

Section 502.1 in Chapter 5 is hereby amended to add the following:

DRIVEWAY

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

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

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

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

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

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

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

Section 503.1.5.2 **Proximity to Building.** One or more of the required access routes meeting this condition shall be located not less than 15 feet and not more than 30 feet from the building and shall be positioned parallel to one entire side of

the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

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

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

Section 503.2.1 **Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet.

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

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

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

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

Section 503.4.2 is hereby added to read as follows:

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

8.2 ATTACHMENT 1

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

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

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

Section 503.6.2 **Electronic Gates.** All electronic operated gates shall have installed an approved key switch override system mounted on a stanchion or wall as approved by the Chief in accordance with Standards/Policies adopted by the Fire Code Official. All electronic or motorized gates shall incorporate in their design the means for fast, effective manual operation of the gates in the event of power or mechanical failure (i.e., easily removable hinge pins for separating power linkage from gates; undercut, weakened or frangible members requiring 40 pounds or less pressure against the gates to cause their failure and the gates to open. All electrical wiring and components of motorized gates shall be UL listed and installed in accordance with the National Electric Code.

Section 503.6.3 is hereby added to Chapter 5 and shall read as follows:

Section 503.6.3 **Gate Setback Required.** Gates shall be set back from roadways a minimum of 30 feet or more so as not to cause cross traffic to stop or create a hazardous traffic condition on the roadway approach to the driveway.

Exception: The fire code official is authorized to modify the setback if fire apparatus access onto the property is not required to achieve 150 feet of access to the most remote portion of the building per 503.1.1.

Section 507.5.1 of Chapter 5 is hereby amended by deleting the exception and shall read as follows:

Section 507.5.1 **Where Required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 350 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Code Official.

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

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

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

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

outlet and one 2 1/2" outlet for single family dwellings and the minimum standard of two 4 1/2" outlets and one 2 1/2" outlet for commercial structures.

Exceptions:

1. If the cost of upgrading the fire hydrant exceeds 2% of the cost of the project based on the building permit valuation.
2. One- and Two-family dwellings equipped throughout with an approved automatic sprinkler system that includes protection of all closets and bathrooms.

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

CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES

Section 710 of Chapter 7 is hereby added to read as follows:

Section 710 **ROOFING MATERIALS**

Section 710.1 **Materials.** All roofing materials shall be in accordance with section 710.

Section 710.2 **New Roofs.** All newly installed roofs and additions to existing roofs are to be of non-combustible or minimum "Class A" listed construction.

Section 710.3 **Existing Roofs.** When alterations or repairs to existing roofs exceed 50% of the total roof area in any thirty-six (36) month period, the entire roof shall be replaced with non-combustible, or minimum "Class A" listed construction.

CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS

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

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

Section 902.1 in Chapter 9 is hereby amended to add the following:

EXTERIOR WILDFIRE PROTECTION SYSTEMS

Section 903.2 of Chapter 9 is repealed in its entirety (with the exception of subsections 903.2.5, 903.2.6, 903.2.8, 903.2.11, 903.2.12, 903.2.14, 903.2.15, 903.2.16, 903.2.17, 903.2.18, 903.2.19, 903.2.20, 903.2.21 which shall remain in effect).

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

8.2 ATTACHMENT 1

Section 903.2 **Where Required.** Approved automatic sprinkler systems in new and existing buildings shall be provided in the locations described in sections 903.2.1 through 903.2.21

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

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

Exceptions:

1. Detached pool houses, workshops, Group U private garages, barns, and similar structures, built in conjunction with existing non-sprinklered single-family residences and provided the new structure is less than 1,000 square feet and is not intended for use as a dwelling unit.
2. Detached non-combustible, limited combustible, or fire-retardant treated wood canopies.
3. Group B or M occupancies less than 1000 square feet.
4. Detached restroom facilities associated with golf courses, ball fields, parks and similar uses as approved by the Fire Code Official.
- 5.

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

Exception: R-3 occupancies. See 903.2.3.

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

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

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

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

8.2 ATTACHMENT 1

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

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

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

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

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

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

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

Section 907.2.13.1.2 of Chapter 9 is hereby amended by adding new subsection 3 to read as follows:

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

Section 907.6.6 is hereby amended to read as follows:

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

Exception: Monitoring by central station is not required for:

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

Section 907.8.5 of Chapter 9 is hereby added and shall read as follows:

Section 907.8.5 **Smoke Alarm Documentation.** The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

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

918 GAS SHUT-OFF DEVICES

918.1 General.

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

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

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

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

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

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

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

Section 918.2 General.

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

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

Exceptions:

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

Section 918.2.2 **Devices: Location Required.**

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

Section 918.3 **General Requirements.**

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

1. Be installed in accordance with the manufacturer’s instructions
2. In the case of seismic gas shut-off devices (motion sensitive) only, such devices must be mounted rigidly to the exterior of the building or structure containing the fuel gas piping. This requirement need not apply if the device (motion sensitive) has been tested and listed for an alternate method of installation

3. Seismic gas shut-off devices shall be certified by the State Architect and be listed by an approved listing and testing agency such as IAS, IAPMO, UL, or the Office of the State Architect
4. Have a thirty (30) year warranty that warrants that the valve or device is free from defects and will continue to properly operate for thirty (30) years from the date of installation.
5. Where gas shut-off devices are installed voluntarily, or as required by this section, they shall be maintained for the life of the building or structure or be replaced with a valve or device complying with the requirements of this section.

Section 918.4 List of Approved Valves and Devices.

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

Section 919 of Chapter 9 is hereby added and shall read as follows:

**SECTION 919
EXTERIOR WILDFIRE PROTECTION SYSTEMS**

Section 919.1 of Chapter 9 is hereby added and shall read as follows:

Section 919.1 **General.** Exterior Wildfire Protection Systems shall comply with this section.

Section 919.2 of Chapter 9 is hereby added and shall read as follows:

Section 919.2 **Construction documents.** Documentation of the system shall be submitted per 901.2.

Section 919.3 of Chapter 9 is hereby added and shall read as follows:

Section 919.3 **Permits.** Permits shall be required as set forth in section 901.3

CHAPTER 11
CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

Sections 1103.2 Item #1 is deleted.

Sections 1103.3 through 1103.6.2 are deleted.

Section 1103.9 is deleted.

Sections 1104 and 1105 are deleted.

CHAPTER 12
ENERGY SYSTEMS

Section 1201.4 of Chapter 12 is hereby added and shall read as follows:

Section 1201.4 **Construction Documents.** A scaled and dimensioned site plan showing the location of all energy systems, property lines, buildings, service and electrical panels, transfer switches, disconnects, underground wiring and piping, fuel type and piping, map placard and signage. Site Plan shall clearly designate property frontage for viewer orientation.

Section 1201.5 of Chapter 12 is hereby added and shall read as follows:

Section 1201.5 **Signs and Labels.** Caution signs or labels are required to identify the quantity and type of additional power source(s) located on site. Signs shall be required at the main service panel, and on disconnect equipment. Additional locations may be required by the fire code official.

Section 1201.6 of Chapter 12 is hereby added and shall read as follows:

Section 1201.6 **Disconnect.** An approved and readily accessible independent and clearly labeled single exterior disconnect shall be located prior to any load/service panel and installed as close as possible to the main service panel or as approved by the fire code official. Integrated equipment toggle, rocker, or electronic switches shall not be utilized as independent disconnects.

Section 1201.7 of Chapter 12 is hereby added and shall read as follows:

Section 1201.7 **Operational Testing.** New installations shall be tested for complete power and energy system shutdown. A normal power failure shall be simulated by closing the main service breaker supplying normal power to the building. Upon transfer from main power to alternate power source(s), the single disconnect(s) shall be used to disconnect alternate power from all alternate energy sources. A successful result of the shutdown test shall include termination of all alternate energy power sources serving the building (i.e., main service, photovoltaic system, energy storage systems, and generators, when installed).

Section 1202.1 in Chapter 12 is hereby amended to add the following:

HOME BACKUP GENERATOR

Section 1208 of Chapter 12 is hereby added and shall read as follows:

SECTION 1208
HOME BACKUP GENERATOR

8.2 ATTACHMENT 1

Section 1208.1 of Chapter 12 is hereby added and shall read as follows:

Section 1208.1 **General.** The use, operation, and maintenance of home backup generators in Group R-3 and R-4 occupancies shall comply with this section.

Section 1208.2 of Chapter 12 is hereby added and shall read as follows:

Section 1208.2 **Use.** Home backup generators shall be installed in accordance with the California Building Code, the California Electrical Code, NFPA 110.

Section 1208.3 of Chapter 12 is hereby added and shall read as follows:

Section 1208.3 **Permits.** Permits shall be obtained for Home Backup Generators as set forth in Section 105.

Section 1208.4 of Chapter 12 is hereby added and shall read as follows:

Section 1208.4 **Installation.** Home backup generators shall be installed in accordance with the California Building Code, the California Electrical Code, NFPA 110.

Section 1208.5 of Chapter 12 is hereby added and shall read as follows:

Section 1208.5 **Listing.** Home backup generators shall be listed and labeled in accordance with UL 2200.

Section 1208.6 of Chapter 12 is hereby added and shall read as follows:

Section 1208.6. **Maintenance.** Home backup generators shall be operated and maintained in accordance with the manufacturer's instructions.

CHAPTER 26 **FUMIGATION AND INSECTICIDAL FOGGING**

Chapter 26 is deleted in its entirety.

CHAPTER 33 **FIRE SAFETY DURING CONSTRUCTION**

Section 3314.3 of Chapter 33 is amended by adding the following to the end of the exception:

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

Section 3315.3 in Chapter 33 is added to read as follows:

Section 3315.3 **Where required.** In buildings of combustible construction required to have automatic sprinkler systems by Section 903, automatic sprinkler systems

shall be installed prior to construction exceeding two stories in height above the lowest level of fire department vehicle access. Such automatic sprinkler systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

Section 3315.4 of Chapter 33 is added to read as follows:

Section 3315.4 **Buildings being demolished.** Where a building is being demolished and an automatic sprinkler system is existing within such a building, such automatic sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such automatic sprinkler systems shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

Section 3315.5 of Chapter 33 is added to read as follows:

Section 3315.5 **Detailed requirements.** Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.

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

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

FIRE PROTECTION PLAN. A document prepared for a specific project or development proposed for construction and development in areas designated as Wildland-Urban Interface (WUI), and/or Moderate, High, or Very High Fire Hazard Severity Zone. It describes ways to minimize and mitigate potential for loss from wildfire exposure.

WILDLAND-URBAN INTERFACE FIRE AREA. A geographical area identified by The City of Larkspur as a "High Fire Hazard Severity Zone" in accordance with the Public Resources Code, Sections 4201 through 4204, and Government Code, Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires, as designated on the map titled Wildland-Urban Interface Fire Area, dated May 19, 2011.

Section 4903.2.1 of Chapter 49 is amended to read as follows:

Section 4903.2.1.1 Preliminary fire protection plan. When a preliminary fire protection plan is submitted, it shall include, at a minimum, the following:

- 1) Total size of the project.
- 2) Information on the adjoining properties on all sides, including current land uses, and if known, existing structures and densities, planned construction, natural vegetation, environmental restoration plans, roads, and parks.
- 3) A map with all project boundary lines, property lines, slope contour lines, proposed structure foundation footprints, and proposed roads and driveways. The map shall identify project fuel modification zones and method of identifying the fuel modification zone boundaries.

- 4) The map shall include all existing emergency water supplies.

Section 4903.2.1.2 of Chapter 49 is amended to include the following:

Section 4903.2.1.2

1. A map identifying all proposed plants in the fuel modification zones with a legend that includes a symbol for each proposed plant species. The plan shall include specific information on each species proposed, including but not limited to:
 - a. The plant life-form;
 - b. The scientific and common name; and
 - c. The expected height and width for mature growth.
2. Identification of irrigated and non-irrigated zones
3. Requirements for vegetation reduction around emergency access and evacuation routes.
4. Identification of points of access for equipment and personnel to maintain vegetation in common areas.
5. Legally binding statements regarding community responsibility for maintenance of fuel modification zones.
6. Legally binding statements to be included in covenants, conditions, and restrictions regarding property owner responsibilities for vegetation maintenance.
7. Identify the location of fire protection systems or equipment.
8. Identify any power sources, meters, and shutdowns.

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

Section 4906.2 **Application.** Buildings and structures located in any Fire Hazard Severity Zone or any Wildland-Urban Interface (WUI) Fire Area designated by the enforcing agency shall maintain the required hazardous vegetation and fuel management per Sections 4906.3 through 4906.5.3.

Section 4906.3 of Chapter 49 is amended to read as follows:

Section 4906.3. **Vegetation Management Plan.** A Vegetation Management plan shall be required for new construction, substantial remodels, and landscape modifications including new plantings, modifications to existing plantings, and/or excavation.

Section 4906.3.1 of Chapter 49 is deleted in its entirety.

Section 4906.4.2.1 of Chapter 49 is amended to read as follows:

Section 4906.4.2.1 **Tree Planting.** New trees classified as fire-resistant vegetation shall be permitted provided the tree is planted and maintained so that the tree's drip line at maturity is a minimum 5 feet (9144 mm) from any combustible structure.

Section 4907.2 of Chapter 49 is amended to read as follows:

Section 4907.2 **Application.** Buildings and structures located in any Fire Hazard Severity Zone or any Wildland-Urban Interface (WUI) Fire Area designated by the enforcing agency shall maintain the required hazardous vegetation and fuel management:

Section 4907.4 of Chapter 49 is hereby added and shall read as follows:

Section 4907.4 **Fire Hazard Reduction.** Any person who owns, leases, controls or maintains any building or structure, vacant lands, open space, and/or lands within specific Wildland Urban Interface areas of the jurisdiction of the City of Larkspur, shall comply with the following:

1. Cut and remove all hazardous vegetation and ground coverings within 100 feet of structures, up to 200 feet when topographic or combustible vegetative types necessitate removal as determined by the Fire Code Official.
2. Remove accumulated dead vegetation on the property.
3. Cut and remove tree limbs that overhang wood decks and roofs.
4. Remove that portion of any tree which extends within 10 feet of any chimney or stovepipe, roof surfaces and roof gutters
5. Clean any leaves and needles from the roof and gutters.
6. Cut and remove growth less than 3-inches in diameter, from the ground up to a height of 10 feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third of the tree's total height.
7. Ladder fuels shall be removed within 100 feet of the structure.
8. Vegetation clearance requirements for new construction and substantial remodels in Wildland-Urban Interface Areas shall be in accordance with the 2021 International Wildland-Urban Interface Code, as amended by the City of Larkspur.

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

Exception 2: When approved by the Fire Code Official, grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize soil and prevent erosion.

Section 4907.5 of Chapter 49 is hereby added and shall read as follows:

Section 4907.5 **Fire Hazard Reduction from Roadways.** The Fire Code Official is authorized to cause areas within 10 feet (3048 cm) on each side of portions of highways, fire apparatus access roads (improved or unimproved), and driveways (improved or unimproved), which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. Corrective action, if necessary, shall be the same as the actions required in section 4907.4. The Fire Code Official is authorized to enter upon private property to carry out this work.

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

CHAPTER 56
EXPLOSIVES AND FIREWORKS

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

Section 5608.1.2 of Chapter is added to read as follows:

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

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

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

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

CHAPTER 80
REFERENCED STANDARDS

California Fire Code, Chapter 80 is amended as follows:

NFPA 13-22: Standard for the installation of Sprinkler Systems

*NFPA 13, Amended Sections as follows:

Revise Section 29.4.1 as follows:

29.4.1 The installing contractor shall identify a hydraulically designed sprinkler system with permanently raised, stamped or etched, marked weatherproof metal or rigid plastic sign secured with corrosion resistant wire, chain, or other approved means. Such signs shall be placed at the alarm valve, dry pipe valve, preaction valve, or deluge valve supplying the corresponding hydraulically designed area. Pipe schedule systems shall be provided with a sign indicating

that the system was designed and installed as a pipe schedule system and the hazard classification(s) included in the design.

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION

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

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

Section C103.2 of Appendix C is deleted.

Section C103.3 of Appendix C is deleted.

**14.04.120 AMENDMENTS MADE TO APPENDIX A OF THE 2021
INTERNATIONAL WILDLAND-URBAN INTERFACE CODE**

INTERNATIONAL WILDLAND-URBAN INTERFACE
APPENDIX A

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

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

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

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

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

Section A104.12 **Explosives and Blasting.** Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported, or disposed of within hazardous fire areas except by permit from the Fire Code Official.

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

Section A104.13 **APIARIES**. Lighted or smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas except by permit from the Fire Code Official.

14.04.130 FINDINGS

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

1. CLIMATIC.

- a. The weather patterns within the City of Larkspur are considered to be moderately affected by the Pacific Ocean and the San Francisco Bay, which extends the year-round growing season of vegetation. The normal year's rainfall is approximately 28 inches, while the summer condition, with its prevalent Pacific high cell, creates the morning and late afternoon fog normally associated with the San Francisco Bay.
- b. Humidity generally ranges from 50% during the daytime to 86% at night. It drops to 20% and lower during the summer months
- c. While normal temperatures usually do not exceed 75-80 degrees during the summer months, little or no rain falls during the period between April and November. This combination often creates hazardous fuel conditions in the City. Drying winds in the summer and fall months reduce fuel moisture and relative humidity to the minimum levels, thereby creating ideal fire weather conditions. The normal afternoon winds that precede the fog can move a fire quickly in the hillside and open space areas of the City.
- d. Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another due to the area's topography and location. Velocities are generally in the 5-15 mph range, gusting to 20-30 mph, particularly during the summer months. Extreme winds up to 50 mph have been known to occur.
- e. Because of climatic conditions, the County of Marin has experienced water rationing in recent years, including a mandatory 35 percent reduction in 1989 and 20% in 2015. Water shortages can be expected in future years due to limited storage capacities in Marin, increased domestic consumption and weather patterns that reduce the already minimal annual rainfall. While sound management of the water resources is possible, actual demands on an already stressed water supply can most assuredly be predicted.

2. GEOLOGIC.

- a. The City of Larkspur is geologically mixed with three classifications of rock: igneous, metamorphic and sedimentary. The outstanding material is volcanic in origin with ridges of serpentinite reaching in excess of 700 feet

in elevation.

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

3. TOPOGRAPHIC.

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

8.2 ATTACHMENT 1

unique fire problem. The generalized water shortage in Marin County results in occasional inadequate water volume and pressure for firefighting purposes in certain areas of the City.

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

The following table lists the California Fire Code sections that have been modified pursuant to Section 14.04.110 of this Code and the corresponding local climatic, geological, and topographical condition findings that necessitate each amendment, addition, or deletion.

CA Fire Code Section No.	Local Condition Finding
202	1c, 2a, 2b, 2d, 3a, 3b
302.1	2b, 2d, 3a, 3b, 3c, 3d
324	2b, 2d, 3a, 3b, 3c, 3d
401.1.1	2c, 2d, 3a, 3b, 3c, 3d
401.3.2.1-401.3.2.2	2a, 2c, 2d, 3a, 3b, 3c
402.1	2b, 2d, 3a, 3b, 3c, 3d
403.1.1	2a, 2b, 2c, 2d, 3a, 2g
403.9.1.4	2a, 2b, 2c, 2d, 2e, 2g
502.1	2a, 2c, 2d, 2e, 2f, 2g
503.1	2a, 2c, 2d, 2e, 2f, 2g
503.1.4	2a, 2c, 2d, 3a, 3b, 3c, 3d
503.1.5-503.1.5.3	2a, 2c, 2d, 3a, 3b, 3c, 3d
503.2.1	2a, 2c, 2d, 3a, 3b, 3c, 3d
503.2.6.1	2a, 2c, 2d, 3a, 3b, 3c, 3d
503.4	2a, 2c, 2d, 3a, 3b, 3c, 3d
503.4.2	2a, 2c, 2d, 3a, 3b, 3c, 3d

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503.6.1	2a, 2c, 2d, 3a, 3b, 3c, 3d
503.6.2	2a, 2c, 2d, 3a, 3b, 3c, 3d
503.6.3	2a, 2c, 2d, 3a, 3b, 3c, 3d
507.5.1	2a, 2c, 2d, 3a, 3b, 3c, 3d
507.5.1.1	2a, 2c, 2d, 3a, 3b, 3c, 3d
507.5.7	2a, 2c, 2d, 3a, 3b, 3c, 3d
510.1	2a, 2b, 2c, 2d, 3d
901.7	2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
902.1	2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
903.2 – 903.2.4	2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
903.3.9	2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
903.6.1	2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
906.11	2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
907.2.13.1.2	2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
907.6.6	2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
907.8.5	2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
918-918.3	1b, 1c, 1d, 1e, 2c, 2d
1208-1208.8	2b, 2d, 3a, 3b, 3c, 3d
3314.3	2a, 2b, 2c, 2d, 3d
3315.3	2a, 2b, 2c, 2d, 3d
3315.4	2a, 2b, 2c, 2d, 3d
4902.1	1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
4903.2.1.1-4903.2.2	1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
4906.2-4906.4.2.1	1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
4907.2 – 4907.4	1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d
4907.5	1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d

5608.1.2 – 5608.2	2a, 2c, 2d, 3a, 3b, 3c, 3d
Chapter 80	1a, 1b, 1c, 2a, 2b, 2c, 2d, 3a, 3b, 3c, 3d

14.04.140 APPEALS

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

14.04.150 PENALTIES

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

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

14.04.160 FORMER ORDINANCES

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

14.04.170 VALIDITY

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

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

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

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

Section 5. Posting. The City Clerk shall cause a summary of this ordinance to be published in the Marin Independent Journal within 5 days prior to passage and within 15 days after passage.

Section 6. Effective Date. This ordinance shall become effective 30 days after the date of adoption or on January 1, 2023, whichever is later.

IT IS HEREBY CERTIFIED that the foregoing ordinance was duly introduced at a regular meeting of the Larkspur City Council held on November 16, 2022, and thereafter passed and adopted by the Larkspur City Council on December 7, 2022, by the following vote:

- AYES: COUNCILMEMBER:
- NOES: COUNCILMEMBER:
- ABSENT: COUNCILMEMBER:
- ABSTAIN: COUNCILMEMBER:

Dan Hillmer, Mayor

ATTEST:

Alison Foulis, City Clerk