

ARTICLE 3. FIRE CODE

SECTION 9120. ADOPTION OF 2016 CALIFORNIA FIRE CODE. The latest adopted edition of the 2016 California Fire Code, Title 24, Part 9, is hereby adopted and incorporated by reference. In addition, Sections 305, 307, 308, 311, appendices B, C, D, K, I, and N within the referenced code and all amendments, errata, and/or emergency supplements, including local amendments as set forth herein, are also adopted during this triennial California Building Standards Code cycle. A copy of the "California Fire Code" is on file at the San Mateo County Building Inspection Section.

SECTION 9121. SCOPE AND GENERAL REQUIREMENTS. §101.1 Title.

[Amended] These regulations shall be known as the *Fire Code* of the County of San Mateo, hereinafter referred to as "this code." Nothing stated in

this Code shall relieve a property owner from obtaining appropriate permits required by law for improvements imposed under the provisions of this Code, including but not limited to a coastal development permit for improvements in the coastal zone.

SECTION 9122. DEPARTMENT OF FIRE PREVENTION. §103.1 General.

[Amended] The Board of Supervisors authorizes the Fire Chief to establish a Bureau of Fire Prevention, which shall be known herein as the San Mateo County Fire Marshal's Office.

§103.2 Appointment. *[Amended]* The Board of Supervisors hereby delegates the authority granted by section 24008 of the Government Code and authorizes the fire code official to appoint from qualified personnel on the Fire Chiefs staff such as Deputy, Assistant, and Battalion Chiefs (Chief Officers) as necessary to perform those duties relating to fire or fire protection as are required by the Board. The Fire Chief and appointed designees shall aid in enforcing all laws and ordinances and any rules and regulations adopted by the State Fire Marshal relating to fires or fire prevention and protection and shall exercise peace officer powers pursuant to the provisions of section 24008 of the Government Code.

SECTION 9123. PERMITS. §105.6 Required operation permits. *[Amended]* The

fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.48. Nothing stated in this chapter shall relieve a property owner from obtaining any other permits required by law for improvements imposed under the provisions of this chapter, including but not limited to a coastal development permit for improvements in the coastal zone.

§105.6.2.1 Special Event. [Added] To conduct a special event either inside or outside of a structure. Special events include but are not limited to the following types of activity: crafts faire, festivals, historic celebrations, etc. **§105.7 Required construction permits. [Amended]** The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.18. Nothing stated in this chapter shall relieve a property owner from obtaining any other permits required by law for improvements imposed under the provisions of this chapter, including but not limited to a coastal development permit for improvements in the coastal zone.

SECTION 9124. INSPECTIONS. §106.2.3 Authority to inspect. [Added] The Chief or other designated representatives shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety.

SECTION 9125. BOARD OF APPEALS. §108.1 Board of appeals established. [Amended]

In order to hear and decide appeals of orders, decisions or determinations made by the County Fire Marshal relative to the application and interpretation of this Code, there is established a Fire Protection Board of Appeals, consisting of three members to hear appeals and to grant such relief or make such interpretation or explanation as may be necessary and proper pursuant to the provisions of this Code. The Fire Protection Board of Appeals shall consist of the San Mateo

County Fire Chief, the San Mateo County Fire Operations Chief and the San Mateo County Planning and Building Department Director or their authorized representative. The County Fire Marshal shall act as Secretary of the Board. The Fire Protection Board of Appeals shall adopt rules and regulations for conducting its hearings and shall render all decisions and findings in writing to the appellant, with duplicate copy to the County Fire Marshal. Any appeal of a decision, order or determination made by the Fire Marshal shall be in writing and filed with the San Mateo County Fire Chief within thirty (30) days from the date of the decision, order or determination being appealed. The notice of appeal shall:

- a. Specify the substance and particulars of the decision, order or determination being appealed, including the date of the decision, order or determination.
- b. Describe the grounds for and arguments in support of the appeal.
- c. Be signed by the appellant or his/her duly authorized agent.
- d. Include the mailing address of the appellant.

Whenever a notice of appeal is filed with the Fire Chief, the Fire Chief shall set the matter for hearing at the earliest reasonable time and shall notify the appellant of the place, date and time the Board of Appeals shall hear and consider the appeal. The Fire Chief shall give notice of the hearing to the appellant at least seven days prior to the time set for the hearing. Notice shall be given to the appellant by first class mail and certified mail to the address shown on the notice of appeal.

SECTION 9126. VIOLATIONS. §109.4 Violation penalties. [Amended]

- a. 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. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- b. Notwithstanding any other provision of this code, whenever violation of any section contained in this code is punishable as a misdemeanor, the prosecuting attorney having jurisdiction to prosecute said misdemeanor, may specify that the offense is an infraction and proceed with prosecution as an infraction, unless the defendant, at the time of his arraignment or plea, objects to the offense being made an infraction, in which event the complaint shall be amended to charge a misdemeanor and the case shall proceed on a misdemeanor complaint.

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; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

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

- c. Chapter 1.40 (Administrative Remedies) of the San Mateo County Ordinance Code as well as Section 9003 of this Chapter may be used to address violations of these provisions.
- d. In addition to the penalties set out in this Code, any condition caused or permitted to exist in violation of any of the provisions of this Code shall be deemed a public nuisance and may be summarily abated as such, and each

day such condition continues shall be regarded as a new separate offense. The County of San Mateo shall also be permitted the right of recovering those funds, used to mitigate continuous, unabated hazards, which present a clear and present danger. The cost recovery fee shall be based on the actual hourly rate for the San Mateo County Fire Department staff used in gaining compliance for those in violation.

SECTION 9127. STOP WORK ORDER. §111.4 Failure to comply. [Amended]

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 guilty of a misdemeanor. **SECTION 9128.**

DEFINITIONS. §202 General Definitions. [Amended]

Fire Chief: **[Amended]** The chief officer of the fire department serving the jurisdiction, or a duly authorized representative. "County Fire Warden" and "County Fire Chief shall mean the "Fire Chief of the San Mateo - Santa Cruz Unit of the California Department of Forestry and Fire Protection (CAL FIRE) or authorized representative thereof, so long as there shall be in effect an agreement for CAL FIRE to provide fire protection services to the County of San Mateo. The Fire Warden / Fire Chief shall have all powers and duties conferred upon Fire Chiefs by state law.

Fire Code Official. **[Amended]** The "County Fire Marshal" is the chief officer assigned to the San Mateo County Fire Marshal's Office. Fire Department:

[Added] The San Mateo County Fire Department is hereby established and shall be administered by the County Fire Chief.

Substantial Alteration: **[Added]** The renovation of any structure and/or when combined with any additions to the structure, affects a *gross floor area* which exceeds fifty percent (50%) of the existing floor area of the structure. **§502.1**

Definitions. [Amended]

Accessory Structure/Building: **[Added]** A detached structure that is accessory to and incidental to that of the main structure and that is located on the same lot.

Driveway: **[Added]** A vehicular access that serves no more than two (2) buildings, with no more than three dwelling units on a single parcel, and any number of accessory buildings. **SECTION 9129. IGNITION SOURCES. §305.6 Fuel Breaks.**

[Added]

- A. Every person, owning, leasing or otherwise controlling improved real property, shall maintain an effective fuel break for the protection of improvements by removing all hazardous flammable materials or growth from the ground around each improvement for a distance of not less than 30 feet from its exterior circumference or to the property line, whichever is closer. The Fire Chief may require a distance of up to 100 feet to be cleared or the vegetation managed (fuel reduced) if he determines that the greater distance is necessary to protect improvements.
- B. In determining the extent of clearing necessary to establish an adequate fuel break, due consideration shall be given to the retention of existing landscaping or natural features that, in the opinion of the County Fire Marshal, do not increase the risk of the spread of a fire.
- C. Any determination as to the required size of a fuel break shall give due consideration to the presence of any sensitive habitats entitled to

protection under federal, state or local laws, and shall comply with such laws. In the case of any development for which environmental review is required, and for which a fuel break will be required, the environmental review shall consider any environmental impacts which may result from the creation of the required fuel break. **SECTION 9130. FIRE APPARATUS ACCESS ROADS. §503.1.1,**

Exception 1.3 [Amended] Driveways serving one- and two- family residences.

All new driveways shall have an unobstructed minimum width of a twelve (12) foot traffic lane and sixteen (16) feet unobstructed horizontal clearance. **§503.1.1,**

Exception 2 [Amended] Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities and unmanned cellular sites. **§503.1.1.1 Land**

Divisions [Added] This section is subject to the Fire Code Officials discretion and interpretation.

- A. No final map for a major land division shall be approved within the boundaries of an area served by a public water system until the County Fire Marshal certifies that the land division has met the provisions of this section either through the installation of required improvements before final map approval, or through a subdivision or other binding agreement which requires installation of the required improvements by a specified date following final map approval, whichever is appropriate.
- B. No parcel map for a minor land division shall be approved within the boundaries of an area served by a public water system until the County Fire Marshal certifies that the land division has met the provisions of this section

either through installation of required improvements before final map approval, or through a subdivision or other binding agreement which requires installation of the required improvements by a specified date following final map approval, whichever is appropriate. C. The requirements of this section do not apply to lot line adjustments between four or fewer existing parcels, where land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created. **§503.2.4.1 Turning radius [Added]** Inside and outside turning radius for fire access roads will be based upon the capability of the fire apparatus used by the San Mateo County Fire Department. Turning radius design approval must be obtained from the San Mateo County Fire Department. **§503.2.6 Bridges and elevated surfaces. [Amended]** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO **HS-20 (25 ton)**. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits, certified by an engineer, shall be posted at both entrances to bridges. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained. The Fire Marshal may allow the width to be reduced for a bridge providing access to R-3 and/or U occupancies and lands used primarily for agricultural purposes or recreation. **§503.3 Marking. [Amended]** Curbs along fire access lanes shall be painted traffic red. Such curbs shall have the words "TIRE LANE" stenciled each

Seventy-Five feet on both the face and top edge of the curbs. The stenciled letters shall be a minimum of three inches in height and have a minimum stroke of one-half inch. The lettering shall be white in color. Fire access lanes not having curbs shall either be provided with a twelve inch wide painted red stripe along the edge or provided with signs as described in Section 503.4.1 along the fire access lane at a maximum spacing of seventy-five feet. Fire lanes utilizing the painted stripe shall have stenciled on the red stripe the words "FIRE LANE" each seventy-five feet. The stenciled letters shall be a minimum of three inches in height and have a minimum stroke of one-half inch. The lettering shall be white in color.

§503.4.1 Traffic calming devices. [Amended] Traffic calming devices are prohibited unless approved by the fire code official. Traffic calming devices shall not be installed on designated fire apparatus response routes. When approved, traffic calming devices shall be installed in accordance with the San Mateo County Fire Department's "Traffic Calming Devices" Standard Detail. **§503.4.2**

Prohibited parking. [Added] If in the judgment of the San Mateo County Fire Department it is necessary to prohibit vehicular parking, or other materials or articles, along private fire access lanes in order to prevent obstruction of the required width of the fire access lane, signs shall be posted, as appropriate or as indicated in Section D103.6 with the addition of the following lettering near the bottom of the sign: (C.V.C.22500.1) **§503.4.3 Roadway spikes. [Added]**

The installation of roadway traffic control spikes is prohibited within fire access lanes unless prior approval is given by the San Mateo County Fire Department.

SECTION 9131. PREMISES IDENTIFICATION. §505.1 Address identification.

[Amended] New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least six feet above the finished surface of the driveway. Where buildings are located remotely to the public roadway, additional signage at the driveway/roadway entrance leading to the building and/or on each individual building shall be required by the San Mateo County Fire Department. This remote signage shall consist of a 6 inch by 18 inch green reflective metal sign with 4 inch reflective Numbers/ Letters similar to Hy-Ko 911 or equivalent. **§505.1.2 Multiple tenant structures. [Added]** Multiple tenant buildings, using the same street address numbers, shall have suite or unit identification posted as required by the San Mateo County Fire Department.

§505.1.3 Commercial/Industrial structures; Size and stroke of numbers.

[Added] Building address numbers shall be either internally, or externally illuminated and contrasting with the background so as to be seen from the public way fronting the building. Building address number heights shall be sized in accordance with the table as noted below. The number stroke shall be 1/2-inch or larger.

Distance from road	Address No. Size
0-50 Feet	6-inch
50-100 Feet	8-inch
100-150 Feet	10-inch
150 Feet or more	12-inch All

with a corresponding increase in stroke width

§505.1.4 Rear addressing. [Added] When required by the Chief, approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the fire apparatus road at the back of the property. Number stroke and size will comply with Section 505.1 for residential buildings and Section 505.1.3 for commercial buildings. **§505.1.5**

Suite/Unit identification. [Added] Buildings containing separate suite and/or unit identification shall have the suite or unit identification clearly posted with assigned letters or numbers having a minimum height of four inches and a minimum stroke of 3/8 inch. Assigned letters or numbers shall be of contrasting color to the background and located between 5 feet and 6 feet off the finished floor. Directional address numbers or letters shall be provided. **§505.1.6**

Directories. [Added] Complexes with multiple buildings may be required by the San Mateo County Fire Department to provide one or more of the following: a directory, a premise map or directional signage. Location, size and color of such elements will be determined by the San Mateo County Fire Department on a site-specific basis.

§505.2.1 Construction site. [Added] Approved street or road signs and address numbers of the construction site shall be installed prior to combustible construction materials being placed on the site.

SECTION 9132. KEY BOXES.

§506.1.3 Key Boxes. [Added] When required by the San Mateo County Fire Department, a Key Box of the size and type designated shall be mounted on the building near the main entrance and shall be located a minimum of 60 inches, and not higher than 72 inches, above the finished floor in a location approved by the fire code official. Additional Key Boxes may be required at rear entrances to

buildings.

§506.1.4 Key Switch and Padlocks. [Added] When required by the San Mateo County Fire Department, a Key Switch shall be installed at every electric gate system used for fire access as specified by the Fire Code Official. Keyed padlocks may be required at any access gates by the Fire Code Official.

SECTION 9133. FIRE PROTECTION WATER SUPPLIES. §507.2.2.1 Suburban

and Rural Water Supplies. [Added] In areas where public and/or private fire mains are not available for the provision of the required fire flow, the Fire Code Official may develop a standard which requires a water supply for fire fighting be provided. In developing this standard, the Fire Code Official may be guided by NFPA 22 Standard and Appendix C of this Code. Fire suppression water storage tanks will comply with local requirements to prevent earthquake damage.

SECTION 9134. FUEL FIRED APPLIANCES. §603.6.6 Spark Arrestors.

[Added] All chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrester. Where a spark arrester is installed on a masonry chimney, the spark arrester shall meet all of the following requirements:

1. The net free area of the arrester shall be not less than four times the net free area of the outlet of the chimney flue it serves.
2. The arrester screen shall have heat and corrosion resistance equivalent to 12 gage wire, 19 gage galvanized steel or 24 gage stainless steel.
3. Openings shall not permit the passage of spheres having a diameter greater than $\frac{1}{2}$ inch (12.7 mm) nor block the passage of spheres having a diameter less than $\frac{1}{8}$ inch (9.5 mm).

4. The spark arrestor shall be accessible for cleaning and the screen or chimney cap shall be removable to allow for cleaning of the chimney flue.

5. **SECTION 9135. AUTOMATIC SPRINKLER SYSTEMS. §903.1.2**

Approval. [Added] All automatic fire sprinkler systems installed as required by the San Mateo County Building Regulations must be approved by the County Fire Marshal. Fire sprinkler systems in Group R-3 occupancies, where required by the water purveyor to have an RPZ or double detector check valve, shall have the RPZ/DDCV installed on the water piping supplying both the domestic and fire sprinklers. A low flow toilet shall be allowed to be installed near the end of the fire sprinkler system (flow through)

in lieu of the RPZ/DDCV. §903.6.1 Alterations of existing buildings and

structures. [Added] Where required due to improvements to buildings and structures. The provisions of this section are intended to provide a

reasonable degree of fire safety in existing structures by requiring installation of an automatic fire-extinguishing system. **§903.6.1.1 Where Required.**

[Added] All existing buildings and structures, except for Group R-3 One- and Two-Family Dwellings, shall be provided with an automatic fire sprinkler system when the conditions of Chapter 2, Article 1, Section 9105 require.

§903.6.1.1.1 Group R-3 One- and Two-Family Dwellings. [Added] All existing one- and two-family dwellings, buildings and/or structures shall be provided with an automatic fire sprinkler system when the conditions of Chapter 2, Article 2, Section 9113 require.

§903.7 Partial Automatic Fire Sprinkler Systems. [Added] Unless approved in writing by the Fire Code Official, automatic fire sprinkler systems that only protect a portion of the building shall not be allowed.

SECTION 9136. FIRE ALARM AND DETECTION SYSTEMS.

§907.1.6 Working Clearance *[Added]* A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of fire protection equipment including, but not limited to: fire sprinkler control valves, fire department connections, hose connections, risers, hood system manual pull stations, fire alarm control panels, fire pumps and specialized fire protection storage tanks (dry chemical, foam, CO₂, clean agent). Where the fire protection equipment is wider than 30 inches (762 mm), the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space. Direct access to the working space shall be provided from aisles or access roadways. Modifications to working space dimensions shall be approved by the Fire Code Official.

§907.8.5.1 Fire Department Response to False Alarms. *[Added]* Any building owner or owner's agent who fails to properly maintain and service any smoke detector or fire alarm system, water flow detection alarm or fire sprinkler tamper alarm, after being notified that service or maintenance is required, will be subject to payment of costs related to any false alarm response by the fire department.

SECTION 9137. FIRE DEPARTMENT CONNECTIONS. **§912.2.1.1**

Painting of Fire Protection Equipment and Hydrants. *[Added]* When required by the Fire Code Official, fire protection equipment and fire hydrants shall be painted a color specified by the San Mateo County Fire Department.

§912.5.1 Identification. *[Added]* Fire department connections to sprinkler systems and/or standpipe systems shall clearly identify the building served as

required by the San Mateo County Fire Department.

SECTION 9138. GENERAL MEANS OF EGRESS. §1003.3.4.1 Seismic

Restraint of Storage Shelving. [Added] All storage shelving shall be provided with adequate seismic restraint as required by Chapter 16 of the California Building Code. Storage shelving not required to have seismic restraint by the California Building Code may be required to be secured to prevent obstruction of the means of egress as determined by the San Mateo County Fire Department.

SECTION 9139. EXPLOSIVES AND FIREWORKS §5601.1.6 Fireworks [Added]

All fireworks, including but not limited to, those listed by the California State Fire Marshal as "Safe and Sane", are prohibited within the jurisdictional boundaries of the San Mateo County Fire Department on a year around basis. An exception is allowed for professional fireworks displays and theatrical use as permitted by the Fire Code Official. **§5608.1.2 Permits [Added]** Permits shall be required as set forth in the California Fire Code and this Article.

SECTION 9140. LIQUIFIED PETROLEUM GASES. §6101.3 Construction

Documents [Amended] Where a single LP-gas container is 500 gallons (1893 L) or more in water capacity or the aggregate water capacity of LP-gas containers is more than 2,000 gallons (7570 L), the installer shall submit construction documents for such installation.