

ORDINANCE NO. 2017-01

AN ORDINANCE OF THE GOVERNING BOARD OF THE CARPINTERIA-SUMMERLAND FIRE PROTECTION DISTRICT ADOPTING BY REFERENCE AND AMENDING THE 2016 CALIFORNIA FIRE CODE AND APPENDIX CHAPTERS AND APPENDIX STANDARDS PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE, HAZARDOUS MATERIALS OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS; ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFORE AND DEFINING THEIR POWERS AND DUTIES WITHIN THE DISTRICT; AMENDING SECTION R313 OF THE 2016 CALIFORNIA RESIDENTIAL CODE AND REPEALING ORDINANCE NO. 2013-01.

WHEREAS, the Carpinteria-Summerland Fire Protection District operates under the provisions of California's Fire Protection District Law of 1987, wherein the State Legislature declared that the local provision of fire protection services, rescue services, emergency medical services, hazardous material emergency response services and other services relating to the protection of lives and property is critical to the public peace, health and safety of the State of California and that local control over the types, levels and availability of these services is a long-standing tradition in California; and

WHEREAS, the State Legislature has also declared that its intent is to provide broad statutory authority for local fire protection districts, encouraging local officials to adopt powers and procedures set forth in the Fire Protection District Law of 1987 to meet their own circumstances and responsibilities; and

WHEREAS, Health and Safety Code Section 13869.7 expressly authorizes the Carpinteria-Summerland Fire Protection District to adopt building standards relating to fire and panic safety that are more stringent than those building standards contained in the California Fire Code.

NOW, THEREFORE, the Governing Board of the Carpinteria-Summerland Fire Protection District ordains as follows:

Section 1. Repeal of Previous Ordinance.

Ordinance No. 2013-01 of the Carpinteria-Summerland Fire Protection District is hereby repealed.

Section 2. Adoption of California Fire Code.

There is hereby adopted by the Board of Directors ("Board") of the Carpinteria-Summerland Fire Protection District ("District"), by reference and incorporation, for the purpose of prescribing regulations of governing conditions dangerous to life and property from fire, hazardous materials or explosion, the 2015 International Fire Code and amendments in the 2016 California Fire Code ("Code") including Appendix Chapter 4, and Appendices B, C, E, F, H, K and N published by the International Code Council, Inc. including necessary California amendments, save and except such portions as are hereinafter amended, deleted, or added by this Ordinance. A copy of said Code, certified to be a true copy by the Clerk of the Board has been and is now filed in the office of the Clerk of the Board and the same are hereby adopted and incorporated as fully as if set out at length herein. From the date on which this Ordinance shall take effect, the provision thereof shall be controlling within the limits of the territory of the District.

Section 3. Amendments to the California Fire Code.

The California Fire Code is amended and changed in the following respects:

I. Chapter 1, SCOPE AND ADMINISTRATION:

(a) Section 101.1, Title, is amended to read as follows:

“These regulations shall be known as the Fire Code of the Carpinteria-Summerland Fire Protection District, hereinafter referred to as the ‘Code’.”

(b) Section 103.1, General, is amended to read as follows:

“The Code shall be enforced by The Fire Prevention Bureau of the Carpinteria-Summerland Fire Protection District which is hereby established and which shall be operated under the supervision of the Fire Code Official.”

(c) Section 103.3, Deputies, is amended to read as follows:

“The Fire Code Official may recommend to the Board the employment of technical inspectors, who shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the District at the discretion of the Fire Code Official.”

(d) Section 108, Board of Appeals, is deleted.

(e) Section 110.5, Buildings or Property Damaged by Fire, is added to read as follows:

“The owner, occupant or other person having under his or her control any property or materials damaged by fire shall secure the property either by boarding up all openings, fencing, barricading or other appropriate measures as directed by the Fire Code Official. Such damaged property shall be secured within 48 hours or as specified by the Fire Code Official. Within 30 days of the date written notice to do so has been served, all debris and/ or damaged materials shall be removed from the property or proof furnished that contract arrangements have been made assuring the removal of debris, demolition, replacement or repair of all fire damaged structures remaining on the property involved in fire within a period of time acceptable to the Fire Code Official.”

II. Chapter 2, DEFINITIONS. The following terms in the Code shall be defined as follows:

(a) “‘Chief of police’ shall mean the Sheriff of the County of Santa Barbara or his or her designee.

(b) “‘City’ shall mean the City of Carpinteria.”

(c) “‘County’ shall mean the County of Santa Barbara.”

(d) “‘Fire Code Official’ shall mean the Fire Chief or designee.”

(e) “‘Jurisdiction’ shall mean the territory of the District.”

(f) “‘Mixed-use building’ shall mean any building or structure that includes both residential dwelling unit(s) and non-residential unit(s).”

(g) “‘Police officer’ shall mean Sheriff’s deputy.”

III. Chapter 5, FIRE SERVICE FEATURES.

(a) Section 503.1, Where required, is amended to read as follows:

“Fire Apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.4 and the most current version of the Carpinteria-Summerland Fire Protection District Private Road and Driveway Standards.”

(b) Section 503.1.1, Buildings and facilities, Exception 1.3 is deleted.

(c) Section 503.1.4, Access road design, is added to read as follows:

“The Fire Code Official may evaluate access road design in terms of total response efficiency. The Fire Code Official is authorized to make modifications to access road network design, access road routes and inter-connectivity with new or existing roads so that response efficiency is maintained.”

(d) Section 503.6.1, Gate location and width, is added to read as follows:

“For any structure or area that is secured by a gate limiting access by vehicles, the opening for such gate shall be two feet wider than the minimum required access road width. In addition, all such gates shall be located at least 30 feet from the improved public road right-of-way and shall open inward allowing a vehicle to stop in front of the gate without obstructing traffic along the improved public road right-of-way.”

(e) Section 505.1.1, Signage for complexes, is added to read as follows:

“Complexes with large building(s) may be required to provide directories, premise maps and directional signs. The scale, design and location(s) shall be approved by the Fire Code Official.”

(f) Section 505.1.2, Mixed-use building, is added to read as follows:

“A notification system, which indicates the presence of residential dwelling units, shall be installed in a manner and location approved by the Fire Code Official.”

(h) Section 506.1, Where required, is amended to read as follows:

“When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, the Fire Code Official is authorized to require a key box or switch to be installed in an approved, accessible location. The key box or switch shall be of an approved type. The key box shall contain keys to gain necessary access as required by the Fire Code Official. Key switches installed for the purpose of overriding gate operators shall be wired such that gates remain open upon activation by the Fire District.”

IV. Chapter 6, BUILDING SERVICES AND SYSTEMS.

(a) Section 605.13, Signage for Electrical generators, wind generators or other power sources, is added to read as follows:

“All permanent installations of electrical generators, wind generators or other power sources shall be approved by the Fire Code Official. All provisions of the National

Electrical Code, the Uniform Fuel Gas Code, the California Building Code and this Code shall be followed for any such installation. Permanent engraved and affixed signage, red in color, reading ‘Caution – Alternate Power Source’ in 1” tall letters shall be permanently installed on each electrical panel subject to back-feed from alternate power sources. Any and all power disabling switches shall be clearly labeled.”

V. Chapter 9, FIRE PROTECTION SYSTEMS

(a) Section 903.2 Where required, is amended to read as follows:

“Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in sections 903.2.1 through 903.2.20. Approved automatic sprinkler systems in existing buildings and structures shall be provided in the locations described by section 903.2.20 and section 1103.5 as amended.”

(b) Section 903.2.18 Group U private garages and carports accessory to Group R-3 occupancies. Exception is amended to read as follows:

“An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic residential fire sprinkler system installed in accordance with this section. NOTE: This exception shall not apply if the alteration or addition includes modification such that a habitable space is created.”

(c) Section 903.2.20 Automatic Fire Sprinkler Systems is added to read as follows:

“This section shall apply to all occupancies within the District’s jurisdiction except for townhouses and one- and two-family dwellings, which occupancies are governed by the California Residential Code as amended by the District. If any part of this Section is in conflict with any other part, the more restrictive provision shall govern.

903.2.20.1 Locations Required. Automatic fire sprinkler systems shall be installed in new and existing buildings and structures as follows:

1. New Buildings or Structures. New buildings or new structures (including prefabricated or relocated structures) for which application for building permits are filed or required to be filed with the County or City regardless of square footage.

2. Existing Buildings or Structures.

(i) Additions or modifications of 500 square feet or more cumulative to existing non-residential buildings or structures for which applications for building permits are filed or required to be filed with the County or City shall require the installation of an automatic fire sprinkler system throughout the entire non-residential building or structure.

(ii) Additions or modifications of 1000 square feet or more cumulative to existing residential buildings or structures for which applications for building permits are filed or required to be filed with the County or City shall require the installation of an automatic fire sprinkler system throughout the entire residential building or structure.

(iii) The installation of an automatic fire sprinkler system throughout the entire building or structure shall be required for any additions or modification to an existing building or structure which is not served by water supplies meeting Fire District Standards and for which an application for a building permit is filed or required to be filed with the County or City.

3. For purposes of measuring cumulative square footage, the District shall include all additions or modifications occurring on or after January 1, 2011.

Exceptions:

1. Section 903.2.20 shall not apply to any agricultural buildings, including greenhouses, as defined in the California Building Code, which would otherwise be included within the requirements of this section, provided that:

Whenever there is any change in the use or occupancy of such building so that it no longer meets the above-listed definition of agricultural building, the building must have a sprinkler system installed prior to making such change of use or occupancy in all areas of the building which would have been required to have sprinklers but for the existence of the exception set out in this subsection.

2. Other detached Group U buildings, as defined by the California Building Code, may be exempted from Section 903.2.20 on a case-by-case basis in writing by the Fire Code Official (subject to the same occupancy change conditions as noted in "Exception 1" above).

3. Buildings classified as Group S-2, as defined by the California Building Code, may be exempted from Section 903.2.20 on a case-by-case basis in writing by the Fire Code Official in accordance with Sections 1.11.2.4 and 104.9 of the Code (subject to the same occupancy change conditions as noted in "Exception 1" above).

903.2.20.2 Floor area computation. The total floor area of such buildings or structures shall be within the outside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. For all occupancies other than Group R, Division 3 the floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof, floor above or awning. The gross floor area shall not include shafts with no openings or interior courts.

903.2.20.3 Plan approval. No automatic sprinkler system required by this section shall be installed without prior approval, by the Fire Code Official, of the plans for the installation, testing and maintenance of the system.”

(d) Section 907.2.30 Mixed-use buildings, is added to read as follows:
“In mixed-use buildings, a multiple-station alarm device shall be installed that notifies all occupants in the event of a fire. The system shall include a multiple-station smoke alarm.”

(e) Section 907.2.11.10, Testing of fire alarm and smoke alarm systems, is added to read as follows:
“In Group R occupancies, the owner of each affected unit shall be responsible for installation, repair and maintenance and testing of all fire alarm and smoke alarm systems required by this section except that all long-term (20 consecutive days or more) renters, lessees or other non-owner occupants shall be responsible for testing of said fire and smoke alarm(s). In the event of test failure, the owner shall be responsible for the repair or replacement upon notification by the occupant, except that the occupant shall be responsible for battery replacement. Additionally, the owner of each affected rental dwelling shall be responsible for testing the fire and smoke alarm(s) within the unit upon a change of tenancy.”

VI. Chapter 11, CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

(a) Section 1103.5, Sprinkler Systems, is amended to read as follows:
“An automatic sprinkler system shall be provided in existing buildings in accordance with Sections 1103.5.1 through 1103.5.4 and in accordance with the provisions of Section 903.2”

VII. Chapter 28, LUMBER YARDS AND WOODWORKING FACILITIES

(a) Sections 2807.5 and 2808.10, Emergency plan are amended to read as follows:
“The owner or operator shall develop a Fire Protection Plan (FPP) for monitoring, controlling, and extinguishing spot fires and submit the plan to the Fire Code Official for review and approval. The FPP shall include the following:

- a. Scaled and dimensioned site plan indicating property lines, buildings, access roads, fire hydrants, location of piles, and push out area.
- b. Available fire flow (if from water purveyor) or location and size of water tank (if stored water).
- c. Monitoring procedures for pile temperature and moisture content.
- d. Fire suppression methods, methods to reduce fire within piles and on-site equipment and resources available for fire suppression.
- e. Methods to control contaminants and contaminant storage.
- f. Disposal procedures for contaminants
- g. Employee training
- h. Thresholds for calling 911.”

VIII. Chapter 49, REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS.

(a) Section 4906.3, Requirements, is amended by adding the following:
“5. Public Resources Code section 4290 et seq.”

(b) Section 4906.4 Correction of Condition, is added to read as follows:
“The Fire Code Official is authorized to give notice to the owner of the property on which conditions regulated by Section 4906.1 exist to correct such conditions. If the owner fails to correct such conditions, the legislative body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such conditions exist.”

(c) Section 4906.5 Clearance of Brush or Vegetative Growth from Roadways is added to read as follows:

“The Fire Code Official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. Portions of trees that extend into roadways shall be cleared to provide 13 feet 6 inches of overhead clearance. The Fire Code Official is authorized to enter upon private property to do so.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.”

(d) Section 4906.6 Dumping is added to read as follows:

“Garbage, cans, bottles, papers, ashes, refuse, trash, rubbish or combustible waste material shall not be placed, deposited or dumped in or upon hazardous fire areas or in, upon or along trails, roadways or highways in hazardous fire areas.

Exception: Approved public and private dumping areas.”

(e) Section 4907.2 Clearance of Brush or Vegetative Growth from Structures is added to read as follows:

“4907.2.1 General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, shall at all times:

1. Maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 30 feet (9144 mm) of such buildings or structures;

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

2. Maintain additional fire protection or firebreak by reducing the continuity of brush, flammable vegetation and combustible growth located from 30 feet to 100 feet (9144 mm to 30,480 mm) from such buildings or structures.

Exception: Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion

3. Remove portions of trees which extend within 10 feet (3048 mm) of the outlet of a chimney.

4. Maintain trees adjacent to or overhanging a building free of deadwood; and

5. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.

4907.2.2 Additional defensible space. This section shall apply to property:

1. With slopes exceeding 25%; and
2. Covered with old age class chaparral, dense vegetation or other conditions dangerous to firefighters; and
3. Improved with a building or structure.

4907.2.2.1 For those properties upon which the above conditions are present, and the Fire Code Official determines that a one hundred foot zone around the building or structure is not sufficient, then the Fire Code Official may require a defensible space protection zone consisting of the reduction of combustible growth and flammable vegetation for a distance up to two hundred feet around the building or structure.”

(f) Section 4907.3 Fire Hazard Determination is added to read as follows:
“Cut or uncut weeds, grass, vines and other vegetation shall be removed when determined by the Fire Code Official to be a fire hazard. Section 4906 and Health and Safety Code section 13879 shall be utilized by the Fire Code Official to effect abatement.”

(g) Section 4907.4 Unusual Circumstances is added to read as follows:
“If the Fire Code Official determines that difficult terrain, danger of erosion or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Section 4907 undesirable or impractical, enforcement thereof may be suspended and reasonable alternative measures shall be provided.”

(h) Section 4907.5 Corrective Actions, is added to read as follows:
“The Board is authorized to instruct the Fire Code Official to give notice to the owner of the property upon which conditions regulated by Section 4907 exists to correct such conditions. If the owner fails to correct such conditions, the Board is authorized, in accordance with Health and Safety Code section 13879, to cause the same to be done and make the expenses of such correction a lien upon the property where such condition exists.”

IX. Chapter 56, EXPLOSIVES AND FIREWORKS.

(a) Section 5601.1, Scope, is amended to read as follows:

“For explosives requirements, see Title 19 California Code of Regulations, Chapter 10. For fireworks requirements, see Section 5601.2 of this Code.”

(b) Section 5601.1.3, Prohibition of fireworks, is amended to read as follows:

“The manufacture, possession, storage, sale, use or handling of fireworks is prohibited within the jurisdiction of the Carpinteria-Summerland Fire Protection District.

Exception: A permitted public display of fireworks, as defined in Health and Safety Code section 12524, may be conducted by a pyrotechnic operator licensed by the State Fire Marshall and approved by the Fire Code Official. Public displays shall comply with Title 19 California Code of Regulations, Division 1, Chapter 6.”

X. Chapter 57, FLAMMABLE AND COMBUSTIBLE LIQUIDS

(a) Sections 5704.2.9.6.1 and 5706.2.4.4, Locations where above-ground tanks are prohibited, are amended to read as follows:

“The storage of flammable or combustible liquids is prohibited within the jurisdiction of the Carpinteria-Summerland Fire Protection District, except that such storage is allowed subject to compliance with applicable zoning and other ordinances and laws, as follows:

(1) In agricultural zones, where the minimum lot size is five acres or more and the particular zone encompasses a contiguous area of not less than 50 acres, and where the use will not unreasonably endanger adjoining property, as determined by the Fire Code Official.

(2) In all other zones, where the written approval of the Fire Code Official is obtained subject to such reasonable conditions as the Fire Code Official may impose to protect life and property.”

XI. Chapter 61, LIQUEFIED PETROLEUM GASES.

(a) Section 6104.1.1, Location, is added to read as follows:

“The storage of liquefied petroleum gases is prohibited in the jurisdiction of the Carpinteria-Summerland Fire Protection District, except that such storage is allowed subject to compliance with applicable zoning and other ordinances and laws, in the hereinafter named zones, as follows:

(1) In agricultural zones, where the minimum lot size is five acres or more and the particular zone encompasses a contiguous area of not less than 50 acres, and where the use will not unreasonably endanger adjoining property, as determined by the Fire Code Official.

(2) In all other zones, where the written approval of the Fire Code Official is obtained subject to such reasonable conditions as the Fire Code Official may impose to protect life and property.”

Section 4. Amendments to the California Residential Code.

The California Residential Code is amended and changed as follows:

A. Chapter 3, Section R313 is amended and changed as follow:

1. Section R313.1, Exception, is deleted in its entirety and replaced with the following:
“(a) Any existing townhouse for which an application for building permits are filed or are required to be filed with the County or the City for any addition, alteration, or repair that exceeds 50% of the existing square footage of the building floor area shall be required to install automatic fire sprinklers throughout the entire structure. For purposes of measuring cumulative square footage, the District shall include all additions or modifications on or after January 1, 2016.

(b) Application. The provisions of this Section shall be applicable within the District’s jurisdiction. If any part of this Section is in conflict with any other part, the more restrictive shall be controlling.”
2. Section R313.2, Exception, is deleted in its entirety and replaced with the following:
“(a) Any existing one- and two-family dwellings for which an application for building permits are filed or are required to be filed with the County or the City for any addition, alteration, or repair that exceeds 50% of the existing square footage of the building floor area shall be required to install automatic fire sprinklers throughout the entire building. For purposes of measuring cumulative square footage, the District shall include all additions or modifications on or after January 1, 2016.

(b) Application. The provisions of this Section shall be applicable within the District’s jurisdiction. If any part of this Section is in conflict with any other part, the more restrictive shall be controlling.”
3. Section R313.3.1.2, Exceptions (1) and (4) are deleted.

B. Appendix J, Existing Buildings and Structures, is amended as follows:

1. Section AJ501.3, Extensive Alterations, is amended to read:
“Where the total area of all of the work areas included in an alteration exceeds 50 percent of the area of the dwelling unit, the work shall be considered to be a reconstruction and shall comply with the requirements of these provisions for reconstruction work and section AJ501.9.”
2. Section AJ501.9, Automatic Fire Sprinkler Systems, is added to read:
“Any existing dwelling unit for which an application for building permits is filed or required to be filed with the County of Santa Barbara or City of Carpinteria for any alteration that meets requirements of Section AJ501.3 for extensive alterations shall be required to install automatic fire sprinkler systems throughout the dwelling unit.”

Section 5. Appeals.

Whenever the Fire Code Official disapproves an application or refuses to issue a permit applied for, or when it is claimed that the provisions of this Ordinance do not apply or that the true intent and meaning of this Ordinance have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Code Official to the Board of the District within 30 days from the date of the decision of the Fire Code Official. All decisions of the Board shall be final. The Board shall cause to be kept accurate written minutes and shall deliver or cause to be delivered written findings and decisions on all appeals considered by the Board to the appellant upon request.

Section 6. Enforcement and Penalties.

(a) Any person who violates any of the provisions of this Ordinance 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 District Board of Directors or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and non-compliance, respectively, be guilty of an infraction punishable by a fine of not more than \$250. 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 penalties shall not be held to prevent the enforced removal of prohibited conditions. If a violation is determined to exist or to be impending, the Fire Code Official is authorized to take such measures as are deemed necessary or expedient to secure compliance. In carrying out such measures, the Fire Code Official and designees may request, and shall receive, the assistance and cooperation of the County Building Official or other appropriate officials of the County or the City Building Official or other appropriate officials of the City.

(c) When the Fire Code Official determines that any person has engaged in, is engaged in, or is about to engage in any act(s) or practice(s) which constitute or will constitute a violation of any provision of this Ordinance or the Code hereby adopted, the District Attorney or District Counsel may make application to the Superior Court of Santa Barbara County for an order restraining or enjoining such act(s) or practice(s), a permanent or temporary injunction, restraining order or other corrective order may be granted.

(d) In the event that any person, firm or corporation, whether as a principal, agent, employee or other type of representative shall fail to abate or correct a violation of any provision of this Ordinance or the Code hereby adopted after notice and opportunity to correct or end same, the District Attorney or District Counsel may apply to the Superior Court of the County for an order authorizing the District to undertake actions necessary to abate the violation and to require the violator to pay for the cost of such undertaking.

(e) In the event that any person, firm or corporation, whether as a principal, agent, employee or other type of representative shall fail to abate or correct a violation of any provision of this Ordinance or the Code hereby adopted after notice and opportunity to correct or end same, the District Attorney or District Counsel may apply to the Superior Court of the County for an order authorizing the District to undertake actions necessary to abate the violation and to require the violator to pay for the cost of such undertaking.

(f) Any violation of any provision of this Ordinance or the Code and any amendment thereto may, in the discretion of the District Attorney for the County, be prosecuted as a misdemeanor.

Section 7. Liability.

It is the intent of the Board to establish minimum standards for the protection of the public health, safety and welfare. This Ordinance shall not be construed to establish standards of performance, strength, or durability other than those specified. Neither this Ordinance nor any services rendered in connection with or pursuant to its terms by District officers, agents or employees, are intended as nor shall be construed to be the basis for any express or implied warranties or guarantees to any person concerning any structure or portion thereof or appurtenance thereto constructed, repaired, replaced or removed pursuant to this Ordinance or the Code hereby adopted.

Section 8. Findings.

The Board, following due consideration, hereby finds and determines that all the amendments, deletions, and additions to the foregoing Codes are reasonably necessary due to local climatic, geological, and topographical conditions existing in the District. The District hereby finds and declares that:

The area within which the District is located regularly experiences strong, hot, dusty, and down canyon winds referred to locally as "Sundowners" or "Santa Anas". Such wind conditions increase fire danger by significantly contributing to the spread and intensity of fires, and significantly increase the difficulty of effective fire suppression within the District. If a fire involving a single structure cannot be immediately extinguished, such wind conditions can rapidly spread flames to adjacent structures, significantly endangering lives and/or millions of dollars in property value. Such winds can spread existing flames from a structure or natural fuel to structures and natural fuel significant distances away, even jumping over fire breaks and freeways, resulting in significant property damage and/or loss of life.

Areas of the District are also densely populated, and the close proximity of structures significantly increases the risk of "exposure fires," which emanate from a fire initiated within one structure and can rapidly spread to other nearby structures to generate a conflagration, endangering entire neighborhoods. The installation of automatic fire sprinklers in existing buildings upon any addition, alteration, or repair—i.e. when they are modernized so as to extend their expected useful life—will minimize the risk of exposure fires and provide more time efficient fire suppression actions.

Much of the jurisdiction of the District is within heavy brush and chaparral. It is generally known to take approximately 25 years to build up extremely dangerous combustible brush conditions, and the District contains areas where combustible flora has built up for 50 to 100 years.

The District is in an area prone to extensive drought conditions, significantly increasing the already natural combustibility of the chaparral, brush and ornamental shrubbery in the District. Such fuels can rapidly transform a small manageable fire into an uncontrollable conflagration, compromising the lives and safety of District personnel and residents. The reduction of such fuels provide a direct correlation to the safety of the lives and property within the District, and will substantially reduce the risk of injury or death to District personnel.

The District is geographically situated such that extreme solar exposure (south, southwest, and west facing slopes) continually results in critically low live fuel moisture levels, further rendering most brush, chaparral and ornamental shrubbery highly combustible. Due to these conditions even non-structural fires can pose a massive threat to the lives and structures located in the District.

The District is located in close proximity to several active earthquake faults. During and after an earthquake, there is a high potential for fires and other emergencies threatening the lives of District residents, generally requiring the commitment of all available resources.

Geographic and topographic conditions delay response times for fire apparatus (these conditions include remote structures; narrow, winding roads which hamper the access of modern fire suppression apparatus; and extremely sloping roads which tend to slow fire apparatus response).

Water can be in short supply in the District, and fires in areas with structures with noncombustible roofing typically consume far lesser quantities of water than those not complying with the Plan, allowing greater fire suppression coverage, and preventing unnecessary loss of life and/or property within the District.

U.S. Highway 101 traverses the District, and is a transportation route for hazardous materials and some traffic accidents on Highway 101 require the presence of all available fire apparatus, leaving the District with fewer resources to combat structural fires elsewhere in the District.

The Union Pacific Railroad line also traverses the District. A train accident or derailment could immediately deplete the District's resources, limiting the District's ability to furnish fire protection for the balance of the District.

The Carpinteria Summerland Fire Protection District is in the mutual aid plan and is committed to supply personnel and equipment for serious fires outside the District and which can reduce the personnel and equipment available for response to possible emergencies within the District.

Further, in many instances because of the extra hazardous conditions, a defensible space protection zone around buildings and structures of only one hundred feet is not sufficient to provide for tenable wildland firefighting operations around such buildings and structures. These conditions are common upon lands within the rural areas with slopes exceeding 25% and are covered with old age class chaparral and dense vegetation, creating conditions that are dangerous to fire fighters.

The increase in population and traffic within the Carpinteria Summerland Fire Protection District has hampered and obstructed response routes and has increased response times for fire apparatus, especially during peak hours of mornings and evenings. On-site fire protection appliances will tend to reduce the amount of fire spread should a delay exist. Additionally, the continued residential growth and spread into undeveloped remote wildland areas has increased the demands on fire fighting resources and response times.

The Governing Board expressly finds and declares that the findings contained herein are needed to properly protect the health, safety, and welfare of existing and future residents and provide the basis for the amendment, deletions, and additions to the Code contained in this Ordinance.

Section 9. Severability.

If any article, section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Board hereby declares that it would have passed this Ordinance and each article, section, subsection, sentence, clause, phrase or word thereof irrespective of the fact that any one or more articles, sections, subsections, sentences, clauses, phrases or words may be unconstitutional or invalid.


Section 10. Effective Date and Publication.

(a) Effective Date. This Ordinance was introduced for first reading on December 20, 2016, and passed on March 1, 2017 and shall take effect 30 days after final passage.

(b) Publication. In accordance with Government Code section 25124, this Ordinance shall be published once, with the names of the members of the Board voting for and against it in a newspaper of general circulation in the District within 15 days after its adoption.

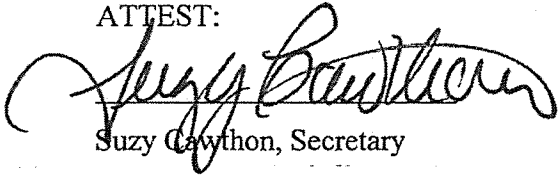
PASSED, APPROVED AND ADOPTED by the Governing Board of the CARPINTERIA SUMMERLAND FIRE PROTECTION DISTRICT on this 1st day of March, 2017, by the following vote:

AYES: Thompson, Johnson, Miller, Baker
NAYS: 0
ABSTAIN: 0
ABSENT: Cawthon



Pete Thompson, President

ATTEST:


Suzy Cawthon, Secretary

STATE OF CALIFORNIA)

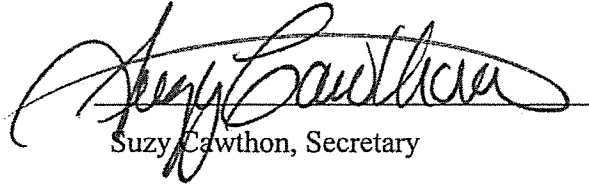
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ss.

COUNTY OF SANTA BARBARA)

I, Suzy Cawthon, Secretary of the Governing Board of the Carpinteria Summerland Fire Protection District, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the California Fire Code hereby adopted Ordinance No. 2017-01 of said District, adopted at a regular meeting of the Governing Board, held on the 1st day of March, 2017, at which meeting a quorum of the Governing Board was present and acting throughout, and that the same has not been amended or repealed.

DATED: This 1st day of March, 2017.


Suzy Cawthon, Secretary