

ORDINANCE NO. 3062

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 4 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE; ADOPTING BY REFERENCE WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND CHANGES THERETO, THE 2016 CALIFORNIA FIRE CODE AND THE 2015 INTERNATIONAL FIRE CODE, PROVIDING FOR THE RECOVERY OF COSTS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 2976 OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA.

WHEREAS, pursuant to Government Code Section 50022.1 *et seq.*, the City of Ontario, California ("City") may adopt by reference the 2016 edition of the California Building Standards Code as provided in Title 24 of the California Code of Regulations; and

WHEREAS, California Health and Safety Code Sections 17958.7 and 18941.5 authorize cities to adopt the California Building Standards Code with modifications that are determined to be reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, prior to making modifications permitted under California Health and Safety Code Sections 17958.7 and 18941.5, the City Council is required to make express findings that such modifications are needed in accordance with California Health and Safety Code Sections 17958.7; and

WHEREAS, the City held a public hearing on November 1, 2016, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Codes as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 20, 2016; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds that the following proposed amendments to the 2016 California Fire Code and the 2015 International Fire Code are (1) necessary because of local climatic, geological, or topographical conditions, or (2) are of an administrative or procedural nature, and/or do not modify building standards and are reasonably necessary to safeguard life and property within the City.

Amendment	Applicable Findings from Listing Below
Sections 102.7, 103.1, 103.2, 103.3, 103.4, 103.4.1, 104.10, 105.6.50, 108.1, 109.4, 111.4	D-1
Section 503.2.1	D-2
Section 503.4	D-2
Section 507.5.1.2	A-1, B-1, B-2, C-1, C-2, C-3
Section 903.3.7	A-1, A-2, B-2, B-3, B-4, B-5, B-6, C-1, C-2, C-3 & C-4
Section 903.7	A-1, A-2, B-2, B-3, B-4, B-5, B-6, C-1, C-2, C-3 & C-4
Sections 2808.1, 2808.3, 2808.4, 2808.5, 2808.10	C-1, C-2, C-3 & C-4
Sections 2810, 2810.1	C-1, C-2, C-3 & C-4
Appendix B Section B105.2	A-1, B-2, B-3, B-4 & B-5

A. Local Geological Conditions.

A-1. The City of Ontario is subject to moderately strong to severe shaking and surface ruptures resulting from five earthquake faults located within or near the City. These local earthquake faults have the potential to cause severe personal and property damage and fire hazards. Moreover, there is also a potential for damage to roadways, water supplies, and the impairment of access allowing fire equipment to respond to emergencies in the event of a severe earthquake.

A-2. Adverse geological conditions exist in portions of the City that may cause excessive flooding. Flood control facilities are not adequate to handle the water flow that occurs during major storms or prolonged rains. Some of the streets in the City are actually designed and used for flood control purposes, thus making the fire and emergency access difficult during flood conditions. As a consequence, many of the streets within the City are impaired during such flood conditions and such flooding causes physical damage to the streets and the accumulation of debris, all of which hinder access to fire equipment for the purposes of responding to fire and other emergencies.

B. Local Topographical Conditions.

B-1. The topography of the City of Ontario is generally that of a gently sloping inclined plane that slopes in a southerly direction from an elevation of 1,190 feet to an elevation of 730 feet at the southern boundary of the City resulting in several water pressure zones to serve the City. The elevation changes caused by the mountains and hills creates the geological foundation upon which the City is built and will continue to build.

B-2. Located within the City are two major interstate freeways and a major state highway that provide for limited under crossing access points to traverse the City. These highways also restrict the ability of the water supply grid to provide water from multiple points to all areas of the City and necessitates the use of dead-end water mains to many areas adjacent to highways.

B-3. The City is bisected from east to west by two very active railroad main route tracks used by the Southern Pacific and Union Pacific Railroads. These lines are used for both commuter and large freight transport trains, including the transporting of large quantities of hazardous materials. Limited under-crossings and overcrossings exist within the City for uninterrupted emergency vehicle passage. Moreover, emergency vehicles are routinely delayed at grade crossings until passenger trains or passing freight trains clear the grade crossings.

B-4. Two large petroleum product pipelines bisect the City along the Southern Pacific Railroad right-of-way. The pipelines are used to transport large quantities of gasoline, diesel fuel, and jet fuels under high pressures. Another petroleum pipeline intersects the City along the east side en-route to the Etiwanda electrical generating station north and east of the City. While generally underground, these pipelines pass overhead at several overpasses located over main thoroughfares in the City. Damage to these pipelines during seismic events poses the dual potential of creating a time emergency and at the same time restricting emergency vehicle access within the City.

B-5. Two large, high pressure, natural gas transmission pipelines traverse the easterly part of the City, along the I-15 Freeway and on the west side along Benson Avenue. These 36" transmission mains transport natural gas at pressures exceeding 500 psi and pass through developed residential and industrial areas. These transmission pipelines also intersect the previously mentioned petroleum pipelines. Interruption of these pipelines due to flooding or seismic events is possible and would result in reduced resources to protect the balance of the City.

B-6. A large commercial airport is located within the central portion of the City providing limited emergency vehicle access from the north to the south central portions of the City. A majority of the City is located within the approach and/or departure paths of large commercial aircraft exposing a large part of the City to potential aircraft related emergencies. Moreover, Santa Ana Winds frequently require the flight paths of arriving and departing aircraft to be reversed.

C. Local Climatic Conditions.

C-1. The City is subject to extremely strong winds, commonly referred to as "Santa Ana Winds," which can reach speeds in excess of 80 miles per hour and approach the basin from the desert via the Devore Pass. Extensive damage often occurs during such winds, including downed electric wires, downed poles, fallen trees, blowing debris, sand, and dust. Blowing dust experienced during these winds has reduced visibility near zero and impacted the response times of emergency vehicles.

C-2. During the summer months, the Santa Ana Winds produce period of extremely low humidity causing an increase in the threat of fire from dry vegetation and other common fuels. These conditions have, in the past, resulted in vegetation and structure fires.

C-3. The City experiences summer temperatures in excess of 100 degrees Fahrenheit. When coupled with severe Santa Ana Winds these conditions can cause a fire to spread quickly throughout portions of the City.

C-4. Weather conditions, coupled with flammable vegetation in bordering cities results in numerous wildland rims, which draw existing fire fighting forces from their structure protection duties for extended periods of time. This results in increased response times to structure fires when fire department personnel and equipment are committed to nonstructural fire protection activities.

D. Administrative/Procedural/Public Safety Amendments.

D-1. This amendment is necessary for administrative or procedural clarification and to establish administrative standards for the effective enforcement or the building standards of the City of Ontario and does not modify a building standard pursuant to California Health & Safety Code sections 17958, 17958.7, and/or 18941.5.

D-2. This amendment does not modify a building standard pursuant to California Health and Safety Code sections 17958, 17958.7, and/or 18941.5 and is reasonably necessary to safeguard life and property within the City of Ontario.

SECTION 2. Chapter 4 of Title 4 of the Ontario Municipal Code is hereby rewritten in its entirety to read as follows:

Chapter 4: Fire Code

Sections:

- 4-4.01 Adoption of California Fire Code and the International Fire Code
- 4-4.02 Cost Recovery
- 4-4.03 Establishment of the Limits of Districts in Which Stationary Containers of Flammable Cryogenic Fluids Are Prohibited
- 4-4.04 Establishment of the Limits of Districts in Which Storage of Class I and Class II Liquids in Unprotected Aboveground Tanks and in Below Grade Vaulted Tanks is Prohibited
- 4-4.05 Establishment of the Limits in Which Storage of Liquefied Petroleum Gases Is Restricted for the Protection of Heavily Populated or Congested Areas
- 4-4.06 Amendments to the 2016 California Fire Code and 2015 International Fire Code
- 4-4.07 Amendment: Referenced codes and standards
- 4-4.08 Amendment: General
- 4-4.09 Amendment: Appointment

4-4.10	Amendment: Deputies
4-4.11	Amendment: Liability and Legal Defense
4-4.12	Amendment: Investigations
4-4.13	Amendment: Pallets
4-4.14	Amendment: Board of Appeals Established
4-4.15	Amendment: Violation Penalties
4-4.16	Amendment: Failure to Comply
4-4.17	Amendment: Dimensions
4-4.18	Amendment: Obstruction of Fire Apparatus Access Roads
4-4.19	Amendment: Two Points of Connection
4-4.20	Amendment: Floor Control Valves
4-4.21	Amendment: Rooftop Hose Connections
4-4.22	Amendment: General
4-4.23	Amendment: Size of Piles
4-4.24	Amendment: Pile Separation
4-4.25	Amendment: Combustible Waste
4-4.26	Amendment: Emergency Plan
4-4.27	Amendment: Requirements for Pallet Yards
4-4.28	Amendment: Buildings Other than One- and Two-Family Dwellings

Section 4-4.01. Adoption of the California Fire Code and the International Fire Code

The City Council of the City of Ontario hereby adopts by reference with certain amendments, additions, deletions and exceptions, the 2016 California Fire Code with errata, incorporating therein the 2015 International Fire Code, also referred to as Part 9 of Title 24 of the California Code of Regulations, with included appendices, as published by the International Code Council and adopted by the California State Building Standards Commission, (hereinafter also “this Code” or the “Ontario Fire Code”,) for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion.

Section 4-4.02. Cost Recovery.

(A) Expense for Responding to and Securing an Emergency.

1. Fire suppression, investigation and rescue or emergency medical costs shall be recoverable in accordance with Health & Safety Code Sections 13009 and 13009.1.

2. Any person or entity who negligently or intentionally, or in violation of law, causes an emergency response, including but not limited to, a traffic accident or spill of toxic or flammable fluids or chemicals, is liable for the costs of responding, securing and investigating such emergency, including those costs set out in Health & Safety Code Section 13009 *et seq.* and Government Code Section 53150 *et seq.* Any expense incurred by the Fire Department for responding to, securing, or investigating such an emergency situation shall constitute a debt of the person or entity responsible and shall be subject to collection by the City in the same manner as an obligation under contract, expressed or implied.

3. The expense of responding to, securing and investigating any emergency or hazard which is the result of a violation of this Code or any other code, ordinance or state law, or any damages caused by malicious mischief requiring any corrective or preventive actions by the Fire Department shall be a charge against the person(s) or entity whose violation caused the emergency and/or damage. Damages caused by such emergency or action may constitute a debt of such person(s) or entity responsible and shall be collectible as provided below:

i. Liability for Hazardous Activities and Conditions. The Chief may also impose the reasonable cost of fire prevention, fire suppression, incident investigation and protection of the public from other safety hazards when a fire or hazardous condition results from any of the following activities or conditions:

- (1) The manufacture, transportation, storage, handling, or spilling, of hazardous chemicals, flammable or combustible liquids, explosives, or blasting agents as defined in this Code; and
- (2) The failure to correct a hazardous condition for which a "Notice of Violation," or equivalent notice, has been previously given by the Chief; and
- (3) The use of welding equipment, cutting torches, tar pot, or other open flame devices; and
- (4) Permitting or causing the accumulation of hazardous or flammable materials on property; and
- (5) Setting of a fire or allowing a fire to be set in violation of any code, ordinance, law or regulation; and
- (6) The possession of, or causing illegal fireworks, explosive devices or destructive devices to ignite, explode or detonate; and
- (7) Creating, allowing, or maintaining a hazard as stated in Ontario Fire Code Section 109.1.

ii. Determination of Costs. Whenever the Chief determines that the fire department or other public agency has incurred costs for fire suppression, fire prevention, or protection of the public from a fire or other hazardous condition that results from the activities or conditions described in subsection (a), the Chief shall:

- (1) Calculate the costs incurred;
- (2) Identify the person(s) or entity to be charged for those costs; and
- (3) Send a report with this information to the City Clerk.

iii. Method of Calculation. In determining costs to be charged a responsible person or entity, the Chief shall include all necessary expenditures to correct the hazardous condition or extinguish the fire, including, but not limited to the following:

- (1) The cost of personnel;
- (2) The cost of extinguishing agents;
- (3) The reasonable value of the use of City equipment;
- (4) The cost incurred for the use of any private contractors to mitigate or remove the hazard or condition; and
- (5) Any and all administrative costs incurred pursuant to the fee schedule as set by resolution duly adopted by the City Council.

iv. Reimbursement Hearing. The City Clerk shall, thereupon, set the report and account received by the Chief for hearing before the City Council at a regular or adjourned regular meeting to be held at least fourteen (14) calendar days after the date the Clerk mails the notice to the responsible person(s) or entity. The City Clerk shall send by regular mail a Notice of said hearing to the person or entity to be charged at the person's or entity's address as shown on the latest equalized tax assessor's roll, or as otherwise known to the City.

v. Notice to Person Charged. The Notice sent by the City Clerk to the responsible person(s) or entity shall contain:

- (1) The name of the person(s) or entity sought to be charged;
- (2) The location, date and time of the incident upon which the claim for reimbursement is based;
- (3) The amount of, and the basis upon which the claim for reimbursement is made;
- (4) The date, time and place of the hearing to be held on the claim for reimbursement with a statement describing the rights of the person or entity charged and the procedures for presenting evidence at said hearing; and
- (5) The Chief's account of the sum claimed to be due.

vi. Procedure for Hearing Before the City Council. At the hearing on the Chief's accounting of the costs and other evidence upon which reimbursement is sought, the City Council shall hear and consider evidence by the person or entity against which reimbursement is sought. The City Council shall thereafter confirm or disallow the account, all or in part, and set forth in a resolution the amount of the account confirmed, if any. Thereafter, any amount confirmed by resolution of the City Council shall become a debt owing to the City of Ontario and shall be collectible by the City in the same manner as in the case of an obligation under contract expressed or implied.

(B) Service Fees.

1. Permit Fees. Any person, establishment, business, occupancy, or process requiring any permit or utilizing any special service or activity performed by or under the direction of the Fire Department shall compensate the City for the cost of such service or activity, in accordance with the adopted fee and charge schedule and any departmental policy.

2. Service Fee Refunds. The Fire Chief is authorized to refund any fee paid hereunder which is determine to be erroneously paid or collected.

i. The Fire Chief is authorized to refund eighty percent (80%) of the service fee paid when the permittee has performed no work nor commenced an operation for which a permit was issued in accordance with this Ordinance.

ii. The Fire Chief is authorized to refund eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review is completed.

iii. The Fire Chief shall not authorize the refund of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date the fee was paid. Such written application shall state the reasons for the refund request and be accompanied with a receipt of payment.

Section 4-4.03. Establishment of the Limits of Districts in Which Stationary Containers of Flammable Cryogenic Fluids Are Prohibited.

The limits referred to in Section 5806.2 of the 2016 California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as follows:

1. All areas and zoning districts of the City except the General Industrial District of the City Development Code, and with the specific approval of the Fire Chief.

Section 4-4.04. Establishment of the Limits of Districts in Which Storage of Flammable or Combustible Class I and Class II Liquids in Outside Unprotected Aboveground Tanks is Prohibited.

The limits referred to in Sections 5704.2.9.6.1 and 5706.2.4.4 of the 2016 California Fire Code in which the storage of flammable or combustible liquids in outside aboveground unprotected tanks are prohibited are hereby established as follows:

1. In all areas of the City unless upon specific written findings, the Chief determines that the installation of flammable and combustible unprotected aboveground storage tanks or below grade vaulted tanks will not create a hazard to occupants and property owners in the surrounding area.

Section 4-4.05. Establishment of the Limits in Which Storage of Liquefied Petroleum Gases is Restricted for the Protection of Heavily Populated or Congested Areas.

The limits referred to in Section 6104.2 of 2016 California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows:

1. All areas and zoning districts of the City except the General Industrial District of the City zoning ordinance, and with the specific approval of the Fire Chief.

Section 4-4.06. Amendments to the 2016 California Fire Code (CFC) and 2015 International Fire Code (IFC).

Designated portions of the 2016 California Fire Code (CFC) and 2015 International Fire Code (IFC) are amended and changed as set forth in Sections 4-4.07 through 4-4.28.

Section 4-4.07. Amendment: Referenced codes and standards.

Section 102.7 of the 2015 IFC is amended to read as follows:

“102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated by Sections 102.7.1 and 102.7.2. The Fire Chief also hereby authorizes the use of the Ontario Fire Department Fire Protection Standards for the purposes of interpreting and clarifying requirements of this Code and its referenced codes and standards.”

Section 4-4.08. Amendment: General.

Section 103.1 of the 2015 IFC is amended to read as follows:

“103.1 General. The Fire Code as adopted and amended herein shall be enforced by the Bureau of Fire Prevention of the Fire Department of the City of Ontario which is hereby established and shall operate under the supervision of the Chief of the Fire Department.”

Section 4-4.09. Amendment: Appointment.

Section 103.2 of the IFC is amended to read as follows:

“103.2 Appointment. The Fire Marshal shall be responsible for operating the Bureau of Fire Prevention and shall be appointed by the Fire Chief on the basis of examination to determine his or her qualifications.”

Section 4-4.10. Amendment: Deputies.

Section 103.3 of the IFC is amended to read as follows:

“103.3 Deputies. The Chief of the Fire Department shall recommend to the City Manager the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position.”

Section 4-4.11. Amendment: Liability and Legal Defense.

Section 103.4.1 of the IFC is hereby deleted and Section 103.4 of the IFC is amended to read as follows:

"103.4 Liability and legal defense. The Chief and other individuals charged by the Chief with the enforcement of this Code or any other official duties, acting in good faith and without malice in the discharge of their duties, shall not thereby be rendered personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of their duties. Any suit brought against the Chief or such individuals because of such act or omission performed in the enforcement of any provision of such Code or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting there from shall be assumed by this jurisdiction subject to the provisions of Government Code Section 825."

Section 4-4.12. Amendment: Investigations.

Section 104.10 of the CFC is amended to read as follows:

"104.10 Investigations. The Fire Department is authorized to investigate promptly the cause, origin and circumstances of each and every fire or explosion occurring in the jurisdiction involving loss of life or injury to any person or destruction or damage to property and, if it appears to the Fire Prevention Bureau that such fire or explosion is of suspicious origin, is authorized to take immediate charge of all physical evidence relating to the cause of the fire or explosion and is authorized to pursue the investigation to its conclusion. Fire investigators shall have the powers of a police officer in performing their duties under this code. The Chief is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials."

Section 4-4.13. Amendment: Pallets.

Section 105.6.50 is added to the IFC to read as follows:

"105.6.50 Pallets. An operational permit is required for idle storage, handling, repair or manufacturing of combustible pallets in excess of one thousand (1,000) units at any one site."

Section 4-4.14. Amendment: Board of Appeals.

Section 108.2 and 108.3 of the IFC is hereby deleted and Section 108.1 of the IFC is amended to read as follows:

"108.1 Board of Appeals Established. The City Council of the City of Ontario may hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, pursuant to Chapter 4 of Title 1 of the City of Ontario Municipal Code. An application for appeal shall be submitted in writing, in a timely manner, and shall be based on a claim that the

intent of this code or the rules, standards and interpretations adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The Council shall have no authority to waive requirements of this Code. The City Council shall set the matter for hearing and shall give written notice to the appellant. The fire code official shall act as staff in advising the City Council during such hearing. A written copy of the decision shall be mailed to the concerned parties after the conclusion of such proceedings.”

Section 4-4.15. Amendment: Violation penalties.

Section 109.4 of the IFC is amended to read as follows:

“109.4 Violation penalties. Any person who violates any provision of the Fire Code as adopted and amended herein 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 Board of Appeals 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 an infraction or a misdemeanor, punishable as set forth in Chapter 2 of Title 1 of the Ontario Municipal Code. 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 day that a prohibited condition is maintained shall constitute a separate offense. The application of this penalty shall not be held to prevent the enforced removal of prohibited conditions.”

Section 4-4.16. Amendment: Failure to Comply.

Section 111.4 of the CFC is amended to read as follows:

“111.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except that work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable as set forth in Chapter 2 of Title 1 of the Ontario Municipal Code. Each day that any work is done under a stop work order shall constitute a separate offense.”

Section 4-4.17. Amendment: Dimensions.

Section 503.2.1 of the IFC is amended to read as follows:

“503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders or curbs, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Fire apparatus access roads that serve buildings that are 3 or more stories in height or having occupied floors more than 30 feet above the lowest level of fire department access shall have an unobstructed width of not less than 26 feet (7925 mm).

Exception: When approved by the fire code official, fire apparatus access roads in existing development that serve only one way traffic shall be a minimum of 20 feet (6096 mm) in width."

Section 4-4.18. Amendment: Obstruction of Fire Apparatus Access Roads.

Section 503.4 of the IFC is amended to read as follows:

"503.4 Obstruction of fire apparatus access roads. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Access roads, private roadways and public roadways shall be provided and maintained in a passable condition at all times. Any obstruction or impediment to reasonable access may be removed by any public safety agency with the expense of such removal to be borne by the owner of the roadway, or in the case of an obstructing vehicle or object, by the owner of said vehicle or object."

Section 4-4.19. Amendment: Two points of connection.

Section 507.5.1.2 of the CFC is added to read as follows:

"507.5.1.2 Redundant water supplies. New on-site fire protection water systems that serve buildings greater than 100,000 square feet (9,290 m²) in floor area shall have two separate remote connections to the public water system designed and constructed in accordance with recognized standards. The locations of such water connections shall be approved by the fire code official."

Section 4-4.20. Amendment: Floor Control Valves

Section 903.3.7 of the CFC is hereby amended to read as follows:

"903.3.7 Floor Control Valves. Floor control valves and waterflow 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 20 feet above the lowest level of fire department vehicle access.
2. Buildings that are three 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 waterflow detection assemblies shall not be required."

Section 4-4.21. Amendment: Rooftop Hose Outlets.

Section 903.7 of the CFC is hereby added to read as follows:

"903.7 Rooftop Hose Outlets. New buildings that are equipped with automatic fire sprinklers that exceed 100,000 square feet in floor area shall have hose outlets with

listed valves installed on the roof, in approved locations. Such outlets shall be supplied from the closest sprinkler system. The outlets shall have both 2 ½" and 1 ½" threaded connections for fire department use and shall comply with local standards."

Section 4-4.22. Amendment: General.

Section 2808.1 of the CFC is amended to read as follows:

"2808.1 General. The storage and processing of wood chips, hogged materials, fines, compost and raw product produced from yard waste, debris, recycling, and green waste processing facilities shall comply with Sections 2808.2 through 2808.10."

Section 4-4.23. Amendment: Size of piles.

Section 2808.3 of the CFC is amended to read as follows:

"2808.3 Size of piles. Piles shall not exceed 15 feet (4572 mm) in height, 25 feet (7620 mm) in width and 250 feet (76 200 mm) in length.

Exception: The fire code official is authorized to allow the pile size to be increased when additional fire protection is provided in accordance with Chapter 9. The increase shall be based up on the capabilities of the system installed."

Section 4-4.24. Amendment: Pile separation.

Section 2808.4 of the CFC is amended to read as follows:

"2808.4 Pile separation. Piles shall be separated from adjacent piles by approved fire apparatus access roads. Apparatus roads shall be a minimum of 20 feet (6096 mm)."

Section 4-4.25. Amendment: Combustible waste.

Section 2808.5 of the CFC is amended to read as follows:

"2808.5 Combustible waste. The storage, accumulation and handling of combustible materials and control of vegetation shall comply with Chapter 3. All incoming materials shall be ground or incorporated within 10 days. All incoming materials shall be incorporated into windrows within 15 days. Internal temperatures of stockpiles shall be monitored prior to incorporation into windrows."

Section 4-4.26. Amendment: Emergency plan.

Section 2808.10 of the CFC is amended to read as follows:

"2808.10 Emergency plan. The owner or operator shall develop a plan for monitoring, controlling and extinguishing spot fires and submit the plan to the Ontario Fire Department Fire Prevention Bureau for review and approval. The plan shall include, but not be limited to methods and policies for:

1. Monitoring, controlling and extinguishing spot fires.
2. Emergency contact information for personnel who are able to respond to location 24 hours a day, 7 days a week.
3. Onsite equipment to assist with firefighting operations, such as dozers, water tenders, and large tractors.
4. Special considerations for fire safety during extreme weather conditions.
5. Method of providing adequate onsite water supply for firefighting operation. Water system shall have a minimum delivery/replenish capability of 500 gallons per minute for 2 hours.”

Section 4-4.27. Amendment: Pallet Yards.

Sections 2810 and 2810.1 are added to the CFC to read as follows:

SECTION 2810 PALLET YARDS

2810.1 Requirements. Facilities that store, handle, repair or manufacture combustible pallets in excess of 1,000 units at any one site shall comply with locally adopted Ontario Fire Department standards. Such facilities shall require an operational permit in accordance with section 105.6.50.”

Section 4-4.28. Amendment: Buildings Other than One- and Two-family Dwellings, Group R-3 and R-4 buildings and townhomes.

Table B105.2 of Appendix B is hereby deleted and Appendix B Section B105.2 of the CFC is amended to read as follows:

“B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Table B105.1(2).

Exceptions:

1. A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1(2).
2. [SFM] Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

- 2.1. California State Parks buildings of an accessory nature (restrooms).
- 2.2. Safety roadside rest areas, (SRRA), public restrooms.
- 2.3. Truck inspection facilities, (TIF), CHP office space and vehicle inspection bays.
- 2.4. Sand/salt storage buildings, storage of sand and salt.”

SECTION 3. Filing of Ordinance. The Fire Chief shall transmit a copy of this Ordinance for filing to the State of California Building Standards Commission, pursuant to Health and Safety Code Section 17958.7. One copy of the Ontario Fire Code shall be placed on file in the Office of the City Clerk and is hereby adopted and made a part of this Chapter as if fully set forth at length herein.

SECTION 4. Repeal of Conflicting Ordinances. Ordinance No. 2976, all former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Fire Code, as adopted and amended herein, are hereby repealed.

SECTION 5. Severability. Any section, paragraph, sentence or word of this ordinance or of the Fire Code as adopted and amended herein that for any reason has been determined to be invalid, it is the intent of the City Council that it will be considered severable from all other portions of this ordinance independent of the elimination therefrom of any such portion as may be declared invalid.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its final passage. From the date on which this Ordinance shall take effect, the provisions of the Ontario Fire Code shall be controlling within the City limits of the City of Ontario.

SECTION 7. CEQA. The City Council finds that the changes made to the California Fire Code and the International Fire Code are enacted to mitigate threats to public peace, health and safety from earthquakes, high winds and fire. Moreover, the amendments are substantially similar to those provisions previously enacted and contained in the current version of the City's Fire Code. Therefore, it can be seen with certainty that the adoption of this Ordinance will not have a significant adverse effect on the environment and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption within five (5) days of the adopting of this Ordinance.

SECTION 8. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 15th day of November, 2016.



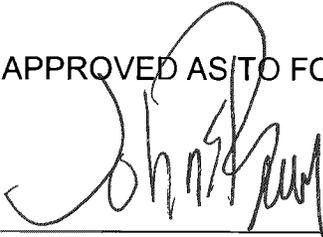
PAUL S. LEON, MAYOR

ATTEST:



SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:



BEST BEST & KRIEGER LLP
CITY ATTORNEY

