

Fire Ordinance 2020

**EBBETTS PASS FIRE PROTECTION DISTRICT
FIRE ORDINANCE 2020**

AN ORDINANCE OF THE EBBETTS PASS FIRE PROTECTION DISTRICT
REPLACING ALL EXISTING EPFD FIRE ORDINANCES

**EBBETTS PASS FIRE PROTECTION DISTRICT
FIRE ORDINANCE 2020**

TABLE OF CONTENTS

SUBJECT DESCRIPTION	SECTION	PAGE
Introduction and Title		3
Ordinance Adoption	1.1	4
Geographical Limits	1.2	4
Adoption of Published Codes	1.3	4
Modifications to Existing Codes	1.4	4
Amendment Matrix		5
Repeal of Conflicting Ordinances	1.5	5
Validity	1.6	5
Effective Date	1.9	5
Findings of Fact and Amendments To Adopted Codes	2.1 – 2.10	6-7
Definitions	3	8-10
Submission of Plans For Review	4.1	11
Fire Management Plans	4.3 – 4.6	11
Storage of Flammable or Combustible Liquids	5.1	11
Storage of Liquefied Petroleum Gas	5.2	12
Fireworks	6	13
Automatic Fire Detection Systems	7.1 - 7.7	14
Automatic Fire Detection/Automatic Fire Sprinkler System-Monitoring	7.4	15
Automatic Fire Sprinkler Systems	7.8 - 7.9	15
Automatic Fire Detection and Fire Sprinkler Systems- Testing and Maintenance	7.10	15
Fire Equipment Access	8.1 - 8.3	16
Roads and Driveways	8.4	16
Premises Identification	8.5 - 8.8	16
Fire Hazard Abatement, Fuel Modification and Defensible Space	9.1	17
Fuel Modification Regulations – Improved Properties	9.3	17
Fuel Modification Regulations – Unimproved Properties	9.4	17
Scope of Enforcement Efforts	9.5	18
Reduced Clearance Zone Standards – Unimproved Properties	9.6	18
Fire Protection Water Supply Systems and Hydrants – Existing Buildings	10.1 - 10.3	19
Fire Protection Water Supply Systems and Hydrants – Existing Subdivisions	10.4	19
Fire Protection Water Supply Systems and Hydrants – New Subdivisions	10.5 - 10.8	19
Fire Protection Water Supply Systems and Hydrants – Standards and Specifications	10.09 - 10.15	20
Hydrant Types	10.16 – 10.17	20
Hydrant On/Off Valve and Discharge Risers	10.18	21
Snow Markers	10.19 - 10.23	21
Hydrant Color Coding	10.25	21
Hydrant Protection	10.26 - 10.28	21
Hydrant Valves and Connections	10.29 - 10.33	22
Inspections, Approvals, Certification for Occupancy	11	23
Relief, Alternative Means of Compliance, and Appeals	12	24-25
Penalties	13	26
Date of Effect and Adoption Signatures		27
Appendix A: Summary Explanation of Amendments		28
Appendix B: Clearance Standards for Unimproved Lots		30

2020

INTRODUCTION

Within the boundaries of the Ebbetts Fire Protection District, fire and life safety regulations are enforced by:

1. The California Department of Forestry and Fire Protection, by the application and enforcement of regulations contained in Public Resources Code 4290 and 4291, and
2. The County of Calaveras, by the application and enforcement of codes contained in the California Building Code, the California Fire Code and other such regulations as may be contained in the Calaveras County Code of Ordinances, and
3. The Ebbetts Pass Fire Protection District by the application and enforcement of various amendments to the above-mentioned codes as contained in Ebbetts Pass Fire District Ordinance 2020.

TITLE: Ebbetts Pass Fire District Ordinance 2020

An ordinance of the Ebbetts Pass Fire Protection District (“EPFD”), hereinafter referred to as EPFD Ordinance 2020, adopting the provisions, with certain amendments made based upon findings of fact, of the most recent editions of the California Fire Code, Calaveras County Fire and Life Safety Regulations and California Public Resources Code 4290 and 4291, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Ebbetts Pass Fire Protection District; providing for the issuance of permits and collection of fees therefor; and repealing Ordinance 2018 of the Ebbetts Pass Fire Protection District and all other ordinances and parts of ordinances in conflict therewith.

SECTION 1: ADOPTION

The Board of Directors of the **EBBETTS PASS FIRE PROTECTION DISTRICT** ordains as follows:

1.1. That a certain document, three (3) copies of which are on file in the office of EPFD Station One, being marked and designated as the California Fire Code, 2019 edition, including Appendix B, Appendix C, and Appendix D, as published by the International Code Council, is hereby adopted with certain amendments as specified below as the Ebbetts Pass Fire Protection District Fire Ordinance 2020 in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in this office of the Ebbetts Pass Fire Protection District are hereby referred to and adopted and made part of, as fully set out in EPFD Ordinance 2020, with the additions, amendments, insertions, deletions and changes, if any, as prescribed below.

1.2. That the geographic limits referred to in certain sections of the 2019 California Fire Code are established, unless otherwise approved by the District's Fire Code Official, as being within the boundaries of the Ebbetts Pass Fire Protection District.

1.3. That the Ebbetts Pass Fire Protection District additionally adopts by reference the most current published version of the California Public Resources Codes (PRC) 4291, Section 8.10 of the Calaveras County Code of Ordinances, Ebbetts Pass Fire District Clearance Requirements for Unimproved Lots, and declares such codes are fully in force and in effect as though fully set forth herein except as the same may be modified by the amendments and additions thereto hereinafter set forth below.

1.4. That the California Fire Code, Calaveras County Code of Fire and Life Safety Regulations and the California Public Resources Code 4290 and 4291 as adopted by EPFD have been modified as described below in order to establish a more restrictive standard deemed reasonably necessary because of local climatic, geologic or topographical conditions.

Amendments to the above-referenced codes can be found in the Amendment and Addition Matrix below. A more detailed description can be found in Appendix A.

AMENDMENT SUMMARY MATRIX – See Appendix A for a more detailed description

Referenced Code	Referenced Code Section	Title/Subject	EPFD Ordinance Section
California Fire Code	104.2	Applications/Permits	4.1
Calaveras County Code	8.10.320	Fire Management Plans	4.3
California Fire Code	3404.1	Flammable Liquid Storage	5.1
California Fire Code	3804.2	Installation of LPG Tanks	5.2A
California Fire Code	3807	LPG Safety Devices	5.2.B - D
California Fire Code	3308	Fireworks	6
California Fire Code	907.2	Automatic Fire Detection Systems-New Buildings	7.1 and 7.5
California Fire Code	907.3	Automatic Fire Detection Systems-Existing Buildings	7.2 and 7.5
California Fire Code	907.7.5	Automatic Fire Detection and Automatic Fire Sprinkler Systems-Monitoring	7.4
California Fire Code	903.2	Automatic Fire Sprinkler Systems-New Buildings	7.8
California Fire Code	903.6	Automatic Fire Sprinkler Systems-Existing Buildings	7.8
California Fire Code	903.3	Automatic Fire Sprinkler Systems-Installation	7.9
California Fire Code	904.4	Automatic Fire Sprinkler Systems-Inspection/Testing	7.9/7.10
Calaveras County Code	8.10.340	Roads and Driveways	8.2
California Fire Code	Appendix D	Fire Apparatus Access Roads	8.2
Calaveras County Code	8.10.200	Premises Identification	8.5 - 8.7
Public Resources Code	4291 (a) and 4290	Defensible Space	9.4
California Fire Code	4601	Existing Buildings – Adequate Water Supplies	10.3
Calaveras County Code	8.10.520	Water Supply Systems	10.4 - 10.5
California Fire Code	Appendix C C105	Distribution of Fire Hydrants	10.10 - 10.12
California Fire Code	507.5.4/507.5.5/507.5.6	Hydrant Protection and Marking	10.19 - 10.28

1.5. That Ordinance 2018 of the Ebbetts Pass Fire Protection District entitled Ebbetts Pass Fire Protection District Fire Ordinance 2018 is hereby repealed and replaced in its entirety.

1.6. That if any section, subsection, sentence, clause or phrase of EPFD Ordinance 2020 is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of EPFD Ordinance 2020. The Board of Directors of the Ebbetts Pass Fire Protection District hereby declares that it would have passed EPFD Ordinance 2020, and each section, subsection, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

1.7. That nothing in EPFD Ordinance 2020 or in the Fire Code hereby adopted by reference shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1.5 of EPFD Ordinance 2020; nor shall any just or legal right or remedy of any character be lost, impaired or affected by EPFD Ordinance 2020.

1.8. That the Ebbetts Pass Fire Protection District is hereby ordered and directed to cause EPFD Ordinance 2020 to be published and or posted in accordance with Government Code 25124.

1.9. That EPFD Ordinance 2020 and the rules, regulations, provisions, requirements, orders and matters established and adopted shall take place and be in full force and effect 30 days from and after the date of its final passage and adoption.

SECTION 2: FINDINGS OF FACT AND AMENDMENTS TO ADOPTED CODES

Findings of Fact and Amendments to Adopted Codes

2.1. The Board of Directors of the Ebbetts Pass Fire Protection District finds that the unique characteristics of the topography, geography, and climatic conditions within the District, combined with the intermix of residential and commercial structures within the wildlands of the District, requires modifications/amendments of the California Fire Code, California Public Resources Codes and other such administrative codes in order to better protect the health, safety, welfare, material wealth, and economic well-being of the residents and property owners within the area known as the Ebbetts Pass Fire Protection District. These modifications/amendments to State and Local Government (County) adopted standards are found reasonably necessary because of the "Findings of Fact" adopted as part of EPFD Ordinance 2020.

2.2. Within the adoptive ordinance, specific amendments have been established which are more restrictive in nature than those adopted by the State of California commonly referred to as the California Fire Code, and the Public Resources Codes, and the Calaveras County Fire and Life Safety Code. These amendments have been recognized by the Ebbetts Pass Fire Protection District to address the fire protection problems, concerns and future direction by which the District can establish and maintain an environment which will work toward affording a level of safety to all who live, work and visit within its boundary.

2.3. Pursuant to Section 4117 of the Public Resources Code, Section 13869.7 (A) of the Fire Protection District Law and Sections 17958.5 and 17958.7 of the Health and Safety Code, the report contained herein is submitted as the "Findings of Fact" document with regard to the adopting ordinance of the Ebbetts Pass Fire Protection District.

2.4. Under the provisions of Section 17958.5 of the Health and Safety Code, local amendments of State adopted standards shall be based on CLIMATE, GEOGRAPHICAL, and TOPOGRAPHICAL conditions. The Findings of Fact contained herein shall address each of these situations and shall present the local situation which, either singularly or in combination, caused the established amendments to be adopted. Additionally, the California Department of Forestry and Fire Protection (Cal-Fire) has determined that the State Responsibility Areas (SRA) within the County of Calaveras, where in which the Ebbetts Pass Fire Protection District is located, to be a "Very High Fire Hazard Zone.

Finding of Facts –Climatic Considerations

2.5. The Ebbetts Pass Fire Protection District is located within the heart of the Stanislaus National Forest. Elevations within the District range from 2,500 to 5,500 feet. The annual rainfall averages 21 inches; very often diminished rainfall amounts create a condition of drought and extreme fire danger. Most precipitation falls between the months of November and April. Snowfall can vary from an average of one to four feet in commercial areas of the District and between two to six feet in those residential areas at the higher elevations.

During dry periods of the year between May and November, high temperatures average 90-95 degrees. Low fuel moistures, relative humidity and high burn indexes are the norm for six months or more of each year. "Red flag" conditions are common. In combination, these conditions subject the District to severe and often critical fire seasons most every year.

The temperature and terrain features also blend to create gusty, prevailing winds and wind changes to occur regularly, further adding to the dry conditions and flammability of wildland fuels. During the winter season, snowfalls create problems in regard to access, response times and premises identification, with snowfall amounts varying from year to year. The Fire District is dependent upon local snow removal contractors for keeping access roads clear. Snow removal from private driveways and roadways is the responsibility of property owners.

Findings of Fact–Geographical and Topographical Considerations

2.6. The vast majority of structures within the Ebbetts Pass Fire Protection District lie upon moderate to steep sloping terrain features amid varying types of 10-hour, 100-hour and 1,000-hour fuel types. It is most common for residential structures to be built into, and blended in, with the timber and wildland vegetation common to these elevations. The

District is a true example of mixing urban development within the wildlands that has commonly become known as the urban/wildland intermix. Fuel loads average 45 to 80 tons per acre in developed residential areas and 80-125 tons per acre in adjacent areas. Geographical and terrain features are such that residential structures have been built on slopes, in chimneys, and on ridge tops. Long, narrow, steep driveways are common, limiting access to individual properties and dwellings.

Ingress and egress from residential developments all originate from State Highway 4. Many of the ingress roads are narrow and substandard, built prior to the adoption of road standards. In the majority of residential developments, most subdivision streets converge onto one main artery which in turn, intersects with the State Highway. This creates the potential for heavy traffic congestion should the need for evacuation occur. Congestion is common during peak seasons when rentals and second homes are likely to be occupied. Peak seasonal periods coincide with the fire season.

Amendments to Adopted Codes

2.7. To mitigate the potential of devastating loss of property and life which can result from the wildland/intermix fire and the effect of the above-described combination of climatic, geographical and topographical factors on the ability of fire suppression forces to manage the wildland intermix fire, the Ebbetts Pass Fire Protection District has incorporated amendments and modification of the California Fire Code, Public Resources Code and other published fire and life safety standards.

2.8. Building Fires: The amendments and modifications to the aforementioned are deemed reasonably necessary to support the District's efforts to keep Building fires small so they can be controlled by a limited number of resources before spreading to the wildland. It is believed that more restrictive requirements pertaining to the installation of Automatic Fire Detection systems which provide for the early detection of fires, Automatic Fire Extinguishing Systems, and Automatic Fire Sprinkler Systems that suppress fires before they become large, the use of fire resistive building materials, the provision of adequate water supplies for fire suppression, and improved access support that effort.

2.9. Wildland Fires: The amendments and modifications to the aforementioned codes are deemed reasonably necessary to the District's efforts to keep wildland fires originating within the District's boundaries small so they too can be controlled by a limited number of resources before becoming a conflagration. It is believed that more restrictive requirements pertaining to clearance of defensible space around structures and the reduction of fuel loads on unimproved properties within and adjacent to, residential and commercial developments support that effort.

2.10. Finding: It is the District's finding that the modifications to the adopted standards contained herein are reasonably necessary to:

1. Provide early detection of building fires which provides increased opportunity to contain the fire to the Building and help prevent spread to the wildland; and
2. Amendments related to fuel loads on lots and around structures also help provide increased opportunities for rapid control of a wildland fire and the prevention of a conflagration as well as provide added elements of safety for fire suppression forces.

While it is clearly understood that the adoption of such regulations may not prevent the incidence of fire, the ongoing enforcement of the California Fire Code, Public Resources Codes, Calaveras County Fire and Life Safety Code, and the amendments to those Codes contained herein, may reduce the severity and potential loss of life and property within the boundaries of the Ebbetts Pass Fire Protection District

SECTION 3: DEFINITIONS

3.1. Access Ways and/or Roads: A road or means that provides fire apparatus and/or firefighting personnel access from a fire station to a Building, facility, or portion thereof. This is a general term inclusive of all other terms such as, but not necessarily limited to, fire lane, public street, private street, parking lot lane and access roadway.

3.2. Adequate Water Supply: Adequate Water Supply shall mean the available water flow (amount), supply (duration) and access (location) which the Fire Code Official or designee determines is necessary to protect any Building(s), structures, developments, or potential developments. This shall include private residential, commercial, and public Buildings on land to be developed or improved. This shall include adequate water flow and supply (duration) for potential Building/improvements on lots or parcels created for development as part of a subdivision of land.

3.3. Alternate Means of Compliance: An alternative method to meet the intent of a regulation or requirement allowed by the Fire Code Official which provides the same overall practical effect of the regulation or requirement.

3.4. Approved: Approved shall mean meeting all the requirements of the Fire Code Official as to the location, size, type of material and manner of installation.

3.5. Automatic Fire-Detection System: Approved heat or smoke detection devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, communicate the activation of a detection device to audible alarms and signal monitoring station, or any combination thereof.

3.6. Automatic Fire-Extinguishing System: An approved system of devices and equipment which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire.

3.7. Automatic Fire-Sprinkler System: An Automatic Fire Sprinkler System, for fire protection purposes, is an approved integrated system of underground and overhead piping designed in accordance with fire protection engineering standards. The system includes a suitable water supply. The portion above ground is a network of specially sized piping to which automatic sprinklers are connected in a systematic pattern. The system is usually activated by heat from a fire and discharges water over the fire area. The system may also include fire flow alarms which sound upon activation of a sprinkler head. The system may also include communications equipment which, upon activation of a fire flow alarm, sends a signal to a monitoring (signal) station.

The system may also include Post Indicator Valves (PIV) which can control the water which supplies various zones or areas of the extinguishing system. PIVs may also have communication devices which monitor whether the valve is opened or closed and sends a signal to a monitoring (signal) station should the valve be closed. A system may also include fire department connections for the purpose of adding additional water pressure to the system during a fire event by using fire apparatus pumps.

3.8. Board: Board shall mean the Board of Directors of the Ebbetts Pass Fire Protection District.

3.9. Building: Building shall mean any structure built upon any lot, parcel, or property within the jurisdiction of the Ebbetts Pass Fire Protection District including, but not limited to, any dwelling classified as residential, commercial, and accessory.

3.10. Central Signal Station: An approved, certified and/or licensed location or facility staffed and equipped to monitor alarm systems and notify emergency services that a fire alarm system, Automatic Fire Protection System, Fire Sprinkler System, Automatic Fire Extinguishing System or other such fire protection devices have been activated.

3.11. Chief: Chief shall mean the Chief Officer of the Ebbetts Pass Fire Protection District having responsibility for the enforcement of this code and/or his/her authorized representative.

3.12. Commercial Building: Commercial Building shall mean any Building, dwelling, apartment, condominium, townhouse, motel, bed and breakfast or room used as a place of business, or any room, apartment, dwelling or Building rented or leased to others. Exception: Single Family Residential Dwellings having fewer than two dwelling units.

3.13. Developer: Developer shall mean any lot owner, parcel owner or other person, firm, corporation, association, partnership, trust, company, public or private, responsible for the improvement of land or project in question, be it for private or public use.

3.14. Development Project: Any project undertaken for the purpose of development, including a project involving the issuance of a permit for construction or reconstruction, but not a permit to operate.

3.15. Division of Land: A Division of Land shall mean the division, by any entity or developer, of any unit or units of improved or unimproved land or any portion thereof, shown on the most current equalized county assessment roll as a unit or contiguous units, for the purpose of sale, lease, financing, transfer, or building development, whether immediate or future. Property shall be considered as contiguous units even if separated by roads, streets, utility easements or railroad right-of-ways.

3.16. Facilities: Facilities shall mean such water mains, fire hydrants, appliances, appurtenances, Buildings, equipment, etc. thereto as are necessary for fire protection.

3.17. Fire Code Official: Fire Code Official shall mean the person(s) appointed by the Fire Chief to enforce the EPFD Fire Ordinance. The Fire Code Official may have various titles related to the specific duties to which they are assigned. The Fire Code Official is authorized by the Board of Directors of the Ebbetts Pass Fire District to enforce EPFD Ordinance 2020 and issue citations and/or arrest persons for violations of EPFD Ordinance 2020.

3.18. Fire Flow: Fire Flow shall include the amount of water in gallons per minute required for an individual structure, occupancy class or hazard, for more multiple structures, occupancies or hazards, total amount of water available in storage for fire protection of a structure, occupancy, or hazard, and/or total amount of water available in storage for fire protection of multiple structures, occupancies, or hazards. Fire flows shall be calculated above what is required/needed for domestic use.

3.19. Fire Hazard: Fire Hazard shall mean anything or act which increases or may cause an increase of the hazard or menace of fire to a greater degree than is customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing, or extinguishing fires; or which may obstruct, delay, hinder or interfere with the operations of the fire district or the egress of occupants or the access of emergency equipment in the event of fire.

3.20. Fire Management Plan: A plan that addresses the fire protection needs of a Development, with implementation methods necessary to achieve the standards of EPFD Ordinance 2020 or having the same practical effect.

3.21. Fire Protection Water Supply Systems: Any combination of pipes, valves, appliances, devices, tanks, pumps, connections, etc. used to store or deliver water for the purpose of fire protection.

3.22. Judgment: Judgment shall mean the decision of the Fire Chief or designee based upon sound fire protection principles. Such judgment shall be conclusive unless overruled by the Board of Directors of the Ebbetts Pass Fire Protection District through a regular grievance or appeal process.

3.23. Relief: An exemption from all or part of a requirement or regulation approved by the Fire Code Official.

3.24. Subdivision: Subdivision shall mean the same as Division of Land. (3.14)

3.25. To Develop Land: To Develop Land shall mean any division or subdivision of land, change in zoning, improvement of land or change in permitted use of land.

3.26. To Improve Land: To Improve Land shall mean to make any improvements or do any work upon such land which would legally require the issuance of a building permit, whether actually issued or not, under the California Building Code or any other County or District Ordinance. It shall also be held to mean that to Divide Land is to Improve Land. This shall include properties zoned residential as well as commercial.

SECTION 4: SUBMISSION OF PLANS FOR REVIEW and FIRE MANAGEMENT PLANS

Submission of Plans for Review

4.1 Affected activities requiring the submittal of plans for review by the District's Fire Code Official include but are not limited to:

1. Permitting or approval of new parcels, including subdivisions and/or divisions of land but excluding lot line adjustments.
2. Application for a building permit for new, or additions to, any Building. Exception: R-3 Single Family Residential having less than two dwelling units include residential accessory structures as well (i.e.: garages private shops, sheds, barns).
3. Application for use permit, change of zoning or change of occupancy classification

4.2. Permission for occupancy of any Building, or permission to proceed with the development of any property created as a result of a subdivision and/or division of land shall not be granted until such Building or Development Project has met the conditions of the District's Fire Code Official.

Fire Management Plans

4.3. As a conditional requirement for approval of any subdivision of land, commercial development projects, and/or commercial Building project, the Calaveras County Fire Ordinance and/or the District's Fire Code Official may require a Fire Management Plan.

4.4. In order to meet the requirements of EPFD Ordinance 2020 and the intent of its amendments made to other adopted ordinances or standards, the District may require provisions more stringent than those provisions and requirements of the Calaveras County Code.

4.5. The Fire Management Plan shall be approved prior to the issuance of any building permit and shall address all aspects of fire protection requirements and mitigation measures.

4.6. A Fire Management Plan may, but is not necessarily limited to, address the following:

1. Impact on the existing fire service delivery system's (agency's) ability to provide and/or maintain a level of service reasonably equal to services being currently provided.
2. Availability of fire protection water, required fire flows and storage.
3. Problems associated with ingress/egress, circulation and the response times of emergency equipment.
4. Fire Hazards existing within the proposed project area or immediately adjacent to the area including vegetation and combustible fuels.
5. Requirements of EPFD Ordinance 2020 which cannot be met due to project design or other constraints.
6. Fire protection measures which are consistent with provisions of EPFD Ordinance 2020 and/or other recognized fire protection standards.

SECTION 5: STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS and LIQUEFIED PETROLEUM GAS

Storage of Flammable or Combustible Liquids

5.1. The storage of Class 1, II and III liquids in above ground tanks must be approved by the District's Fire Code Official.

Storage of Liquefied Petroleum Gas

5.2. The installation of storage containers for liquefied petroleum gas shall be restricted as follows:

1. The installation of storage tanks in excess of 500 gallons either singly or in multiple of tanks with an aggregate capacity in excess of 500 gallons shall require approval of the Fire Code Official.
2. Any tanks or aggregates of tanks in excess of 500 gallons shall be enclosed by a fence at least 6 feet in height and located a minimum of 3 feet from the tank(s). The fence shall have a gate on the side which faces the access route to the tank and shall be kept locked when unattended.
3. All metering devices and shutoff valves to individual apartments, suites, dwellings, etc., that are serviced by one tank shall be marked in a manner that corresponds to the address, apartment or suite number that is served by that metering device and shutoff valve.
4. Additional fire protection requirements may be established as a condition of approval in consideration of special features such as topographical conditions, nature of the occupancy, response distances, proximity to Buildings and the degree of life safety protection deemed needed.

These additional fire protection requirements include, but are not limited to, fire appliances, hydrants, Automatic Fire Detection, Automatic Fire Sprinkler System, and Automatic Fire Extinguishing System.

SECTION 6: FIREWORKS

6.1. The provisions of this section are not to be construed as all inclusive. References shall be made to the most recent standards, suggestions and procedures recommended by the California State Fire Marshal's Office in regard to the regulation of fireworks.

6.2. All definitions of fireworks, dangerous fireworks, and safe and sane (private use) fireworks shall have respective meanings ascribed to them in the California Health and Safety Code, or their most recent amendments or changes.

6.3. It shall be unlawful for any person to possess, store, to offer for sale, expose for sale, sell at retail, or use or explode any fireworks, dangerous fireworks or safe and sane (private use) fireworks within the jurisdiction of the EBBETTS PASS FIRE PROTECTION DISTRICT.

6.4. Public displays of safe and sane (private use) fireworks shall be allowed on a limited permit basis only.

SECTION 7: AUTOMATIC FIRE DETECTION AND AUTOMATIC FIRE SPRINKLER SYSTEMS

Automatic Fire Detection Systems:

7.1. Any Building constructed within the Ebbetts Pass Fire Protection District shall have an approved Automatic Fire Detection System. Exception: Unless otherwise required by the CFC.

7.2. As part of any renovation and or addition to any Building in which the total value of renovations and/or repairs or additions exceeds 50% of the assessed value (cumulative renovation value within a 36 month period) of the Building prior to renovation and/or repair, or additions to, an approved Automatic Fire Detection System shall be installed throughout. Assessed value is the Calaveras County Assessors Office value at time of project permit issuance by the building department.

7.3. Any Automatic Fire Detection System installed within the Ebbetts Pass Fire Protection District shall be installed and certified by a licensed installer/contractor.

7.4. All Automatic Fire Detection System shall be monitored by a certified "Central Signal Station".

7.5. The Fire Code Official may require additional components such as bells, pull stations, detectors, outside indicating lights and other devices.

7.6. The Fire Code Official requires that alarm systems and Central Signal Stations be inspected and maintained in accordance with CFC and National Fire Protection Association (NFPA) standards and that inspections and maintenance be performed by a licensed alarm system installer/contractor.

7.7. With the exception of dwelling units and where it may be otherwise required by the CFC, the installation of an Automatic Fire Detection System may be waived by the Fire Code Official in structures with Automatic Fire Sprinkler Systems installed throughout.

Automatic Fire Sprinkler Systems:

7.8. An approved Automatic Fire Sprinkler Systems shall be installed and maintained as set forth below: Unless otherwise required by the CFC, any commercial/industrial Building having a total floor area which exceeds 3,600 square feet, or is otherwise required to do so by the CFC, shall have an Automatic Fire Sprinkler Systems installed throughout.

In lieu of an Automatic Fire Sprinkler Systems, commercial structures having a total floor area in excess of 3,600 square feet but less than 5,000 square feet may be divided into areas less than 3,600 square feet if separated by a two-hour fire/area separation.

Existing: Additions or alterations to existing Buildings having a total floor area in excess of 3,600 square feet in which the total value of renovations/repairs or additions exceeds 50% of the assessed value (cumulative renovation value within a 36 month period) of the Building prior to renovation/repair or additions, shall have an approved Automatic Fire Sprinkler Systems installed throughout.

In lieu of an Automatic Fire Sprinkler Systems, additions to existing Buildings which increase the total floor area above 3,600 square feet but less than 5,000 square feet may be divided into areas less than 3,600 square feet by two-hour fire/area separations.

System Requirements

7.9. Anyone who installs an automatic fire detection or Automatic Fire Sprinkler Systems shall be a licensed and/or certified installer of automatic fire detection and/or fire extinguishing systems and such installers shall be able to provide by contract, services for the maintenance and testing of such systems.

7.10. Maintenance and testing of automatic fire detection and fire extinguishing systems shall be the responsibility of the building owner and certification of testing shall be provided by the owner upon request of the Fire Code Official.

SECTION 8: FIRE EQUIPMENT ACCESS, ROADS AND DRIVEWAYS, and PREMISES IDENTIFICATION

8.1. It shall be the responsibility of property owners and/or property developers to make such provisions that may be deemed necessary by the Fire Code Official in regard to roadways, streets, driveways and Access Ways that will provide a reasonable means of safe, timely egress for evacuation of residents and safe access for fire suppression equipment and personnel utilizing that equipment. These provisions may include, but are not necessary limited to additional ingress/egress routes or changes in road design.

Fire Lanes and Emergency Equipment Access

8.2. The Fire Code Official is given the authority to require areas, roads, driveways, to be cleared of obstructions and maintained as "FIRE LANES" or for emergency access. Such access may be required at any location where it is determined that without such emergency access for firefighting equipment, the entry by and use of fire apparatus and/or other emergency equipment would be obstructed or otherwise rendered unduly difficult.

8.3 As part of any development or Building project, the Fire Code Official is given authority to require provision for access and maneuvering of fire apparatus. Such provisions may include, but is not necessarily limited to, the provision of designated fire lanes, no parking areas, minimum turning radius and width of access ways, and emergency access roads.

Roads and Driveways

8.4. Roadway and Driveway standards to be in conformance with, and enforced by, Calaveras County through application of standards outlined in Section 8.10.340 of the CALAVERAS COUNTY FIRE AND LIFE SAFETY REGULATIONS.

Premises Identification and Signing

8.5. Premises identification and signing shall be in conformance with standards outlined in Section 8.10.340 of the CALAVERAS COUNTY FIRE AND LIFE SAFETY REGULATIONS and the regulations specified below.

8.6. Structures not readily visible from the roadway shall have premises identification numbers posted at the driveway/access entrance visible from both directions of roadway travel.

8.7. Numbers posted at driveway or other access entrances shall be posted at such a height above the ground to remain clear of snow.

8.8. Cannabis cultivation area registration will be clearly visible within ten feet of the property ingress. It shall be posted between four and six feet above the ground on a durable, rigid, and rectangular signboard of no less than eighteen inches per side with four-inch font containing reflective material sufficient to allow an enforcement official to readily locate it with a flashlight after dark.

SECTION 9: FIRE HAZARD ABATEMENT, FUEL MODIFICATION and DEFENSIBLE SPACE

Purpose, Scope and Intent – Fire Hazard Abatement – Fuel Modification

9.1. Fire hazard abatement regulations pertaining to fuel modification are based upon the premise that:

1. People inhabiting structures and their associated activities in around their homes are the primary source of potential ignition of a fire within the inhabited subdivisions of the District and
2. That fuel loading on improved or unimproved lots and/or parcels of land within, or adjacent to, inhabited areas can significantly contribute to the intensity and spread of a wildfire making it more difficult to control.

In an effort to reduce the chance of a structure (Building) fire spreading to the wildland and growing into a conflagration and in support of efforts to control a wildfire once an ignition occurs, it has been determined that modification and reduction of flammable vegetation within hillside developments and the provision of defensible space around structures is critical.

It has also been determined that modification and reduction of vegetation along roadways, driveways and on unimproved properties adjacent to structures reduce radiant heat and fire intensity, providing an increased margin of safety for fire suppression personnel, provides a point of attack and place of defense for the protection of structures and increased safety for evacuating civilians during a wildland fire.

FUEL MODIFICATION REGULATIONS

9.2. Regulations pertaining to fire safe clearance on properties within the District originate from two different ordinances which are enforced by two different agencies.

Improved Properties – Public Resources Code 4291

9.3. The California Public Resources Code 4291, enforced by the California Department of Forestry and Fire Protection (Cal Fire), requires homeowners to provide vegetation clearance and fuel reduction around homes and Buildings. These regulations require:

1. A “Defensible Space Zone” 30 feet around the structure and
2. A “Reduced Clearance Zone” between 30 feet and 100 feet (or to the property line) of additional clearance.

Unimproved Properties – Ebbetts Pass Fire District Ordinance 2020

9.4. It is the purpose and intent of the regulations and requirements specified below to be used in support of PRC 4290 and 4291 and the District’s overall efforts to mitigate to some degree the potential for conflagration resulting from a wildland/intermix fire. This is accomplished by:

1. Extending the “Reduced Fuel Zone” concept found in PRC 4291 to the entire unimproved lot or parcel within and/or adjacent to subdivisions or developments and
2. By extending the “Reduced Fuel Zone” concept in support of PRC 4290, to the perimeters and Access Ways to all residential, commercial, and industrial Buildings.

The modification and reduction of fuels on unimproved lots or parcels located adjacent to lots or parcels with structures will help keep a wildfire from intensifying as it moves by reducing heat intensity, reducing flame lengths and help keep flames from spreading from the ground to the trees.

In combination, PRC 4291 and PRC 4290 regulations enforced by Cal Fire and the requirements of Ordinance 2020 work together to provide a greater margin of safety for the evacuation of civilians and enhance the effectiveness of firefighting efforts to protect homes and property should a wildfire occur.

Scope of Enforcement Efforts – EPFD Ordinance 2020

9.5. It is the intent of EPFD Ordinance 2020 that, over time, unimproved lots or parcels will be addressed, providing equal benefit to all similarly situated lot or parcel owners. It is also recognized, however, that because of the vast number of unimproved lots and parcels and the vast amount of combustible vegetation that would be required to be removed within the District, it is neither practical nor reasonable to expect that all unimproved lots or parcels be identified and addressed within any one calendar year or inspection/cleanup cycle.

Therefore, the provisions and requirements contained within this section shall be enforced on a priority basis. The focus of, and number of, inspections and requests for compliance shall be established by the Fire Code Official based upon the degree allowable by available funding and staffing, and nothing contained herein shall obligate the District to address any or all properties within any particular time frame.

Unimproved Properties – Reduced Clearance Zone Standards

9.6. Regulations pertaining to fuel modification and fuel reduction on unimproved lots and parcels shall be in accordance with standards contained within a separate document entitled: Ebbetts Pass Fire District Clearance Requirements for Unimproved Lots and Parcels. (See Appendix B).

Waste Material

9.7. Disposal of waste material caused by site development, construction, fuel modification or reduction shall be in accordance with CALAVERAS COUNTY REGULATIONS.

SECTION 10: FIRE PROTECTION WATER SUPPLY SYSTEMS

Existing Buildings

10.1. Section 4601 of the CFC allows Fire Code Officials to require modifications to certain existing Buildings that do not comply with the minimum requirements of the CFC and EPFD Ordinance 2020. The intent of this section is to provide a minimum degree of fire and life safety to persons occupying existing Buildings.

10.2. EPFD Ordinance 2020 amends CFC Section 4601 to include Buildings which may not be in compliance with current requirements relating to water supplies for fire protection.

10.3. When an existing Building is to be renovated and/or modified and is found to be in excess of a reasonable working distance from an adequate water supply as defined within Appendix C of the CFC, the Fire Code official may require the owner to install an approved Automatic Fire Detection System or Automatic Fire Sprinkler System and/or Fire Protection Water System and/or provide a water supply capable of supplying the required fire flow within a reasonable working distance.

Where Required-Existing Parcels Within Existing Residential Subdivisions

10.4. At such time as any part of an existing Fire Protection Water Supply System is modified or improved including water mains, fire hydrants, storage capacity, valves, appliances, pressures, etc. the modifications, additions, improvements, etc. shall be reviewed and approved by the Fire Code Official.

In such cases where an existing Fire Protection Water Supply System is being improved in phases or parts, the Fire Code Official may allow reasonable exceptions to the requirements of EPFD Ordinance 2020, the CFC, and Section 8.10.520 of the Calaveras County Fire and Life Safety Code in order to accommodate existing geographical and topographical conditions that would otherwise impose unreasonable or prohibitive financial costs.

Where Required-New Residential Subdivisions

10.5. Any developer, divider or sub divider of land, who in so doing creates new parcels or lots that allows or creates a potential to increase Building density within the boundaries of the original parcel of land to exceed one house/Building per five acres of land, shall provide a Fire Protection Water Supply System which meets the standards of EPFD Ordinance 2020.

10.6. All facilities, which are part of any Fire Protection Water Supply System or other such fire protection/extinguishing devices or systems required to be installed by EPFD Ordinance 2020, shall meet the specifications and standards designated by the Fire Code Official.

10.7. All facilities or other such fire protection/extinguishing devices or systems required to be installed by EPFD Ordinance 2020 which are component parts tying the system into, or will receive water from, the Calaveras County Water District shall meet the standards and specifications designated by that agency.

Plan Review and Inspection

10.8. The Calaveras County Water District and/or the developer of any land and/or the builder of any Building that initiates construction of, or improvement to, any portion of a Fire Protection Water Supply System shall submit plans to the Fire Code Official for approval.

10.9. The Fire Code Official or designee shall approve the location for installation of any fire hydrant or other such water supply appliance or source.

Standards and Specifications

10.10. Fire hydrants serving residential structures/developments shall be spaced every 500 feet, as measured along the street, roadway, or approved means of access. The Fire Code Official may increase/decrease distance requirements in order to place hydrants in a more functional location.

10.11. Fire hydrants serving commercial/industrial developments and/or Buildings shall be spaced every 250 feet. The Fire Code Official may increase/decrease distance requirements in order to place hydrants in a more functional location.

10.12. Additional fire hydrants may be required to meet the criteria of having an adequate source of water within a "reasonable working distance" from facilities/Buildings.

10.13. No fire hydrant shall be served by a main of less than six inches and each main shall be part of a looped system where practical. The Fire Code Official may require 8" mains to enhance fire flows or provide for future expansion of the system.

10.14. Minor distribution lines supplying residential areas shall be no less than six inches in diameter and, when practical, arranged so they form a gridiron in all areas of the distribution system. The Fire Code Official may require 8" mains to enhance fire flows or provide for future expansion of the system.

10.15. Eight-inch or larger distribution mains shall be used in commercial/industrial areas for all long runs of pipe, for dead ends, or where the topography of the land or layout of the streets is not well adapted to looping, forming a gridiron, or where future expansion of the system has the potential to occur.

Types of Hydrants

10.16. Hydrants shall be "DRY BARREL", breakaway type with full 5-1/4" valve opening. Inlet construction shall be hub or flanged 6-inch inside diameter pipe and the direction of opening shall be counter clockwise.

10.17. The hose connections for each hydrant shall be National Standard Fire Hose Threads, and each hydrant shall have two (2) 2-1/2" outlets and one (1) 4-1/2" steamer outlet

Hydrant On/Off Valve and Discharge Risers (Extensions)

10.18. The Fire Code Official may require the provision of hydrant on/off valve and discharge risers to allow hydrants to be used when buried in snow. Any such device, including the height of risers, fire department connections, etc. must have the approval of the Fire Code Official before installation.

Snow Markers

10.19. Snow markers (stakes) shall be provided as part of the installation of each hydrant.

10.20. Snow markers, unless otherwise specified, shall be constructed of 2" X 2" X 1/8" angle iron of sufficient length to project 8 feet above the ground, shall be cemented into the thrust block, and shall be at least 18 inches from the hydrant.

10.21. Snow markers shall be painted with yellow enamel paint to match the color of the hydrant.

10.22. Snow markers shall have the topmost 12" painted red, orange, green or blue, whichever color corresponds with the hydrant's tested/calculated fire flow.

10.23. Snow markers shall have a 4" reflective stripe or tape 13" below the top of the stake.

Color Coding

10.24. Each fire hydrant shall be given three (3) coats of metal paint, color yellow, in compliance with Federal Color Specifications TT-C-595, Color No. 1305.

10.25. The fire hydrant's top and the three outlet caps shall be color coded to correspond with the calculated/tested GPM flow from that hydrant. Color coding of hydrants shall be as follows:

1. 1500 GPM or greater shall be **BLUE**.
2. 1000-1500 GPM shall be **GREEN**.
3. 500-1000 GPM shall be **ORANGE**.
4. Less than 500 GPM shall be **RED**.

Hydrant Installation/Protection

10.26. Unless otherwise approved by the Fire Code Official, no hydrant shall be installed in excess of 10 feet from the roadway edge.

10.27. Unless otherwise approved by the Fire Code Official, no hydrant shall be installed with the bottom edge of any outlet closer than 15 inches from the surrounding ground level and the outlets shall be positioned for best access by fire apparatus utilizing the roadway.

10.28. The Fire Code Official may require the installation of retaining walls, barriers, additional excavating or other such means as a way to protect a hydrant from becoming buried by soil erosion and/or conditions which may cause a hydrant to become inaccessible over time. Any such installation shall be engineered and meet the approval of the Fire Code Official and the Calaveras County Department of Public Works.

Valves and Connections

10.29. All hydrant laterals shall have a shutoff valve between the main and the hydrant.

10.30. In residential districts, valves shall be placed in the main distribution lines so as to not have more than two fire hydrants between valves or to exceed a linear distance of 800 feet between valves.

10.31. In commercial/residential districts, valves shall be placed in the main distribution lines so as to have not more than two fire hydrants between valves not to exceed a linear distance of 500 feet between valves.

10.32. The connection to the street main shall not be less than 6" inside diameter for hydrants that serve residential districts.

10.33. The connection to the street main shall not be less than 8" inside diameter for hydrants that serve commercial/industrial districts.

SECTION 11: INSPECTIONS, APPROVALS, CERTIFICATION FOR OCCUPANCY

11.1. No final inspection as required by EPFD Ordinance 2020as to all or any portion of the Building and/or Development Project, Access Ways, installation of Automatic Fire Detection Systems, Automatic Fire Sprinkler Systems, Automatic Fire Extinguishing Systems, and/or Fire Protection Water Supply Systems shall be deemed completed until the installation of the required Automatic Fire Detection Systems, Automatic Fire Sprinkler Systems, Automatic Fire Extinguishing Systems, and/or Fire Protection Water Supply System, or Access Way and/or Road for that Building and/or Development Project has been inspected and approved by the Fire Code Official.

11.2. Final inspection of the requirements specified within EPFD Ordinance 2020 for any development/Building project shall be conducted solely to implement the enforcement of such provisions of EPFD Ordinance 2020 and shall in no manner be deemed assurance on the part of any agency that said requirements are or will continue to remain in good working order.

11.3. All commercial use business locations must comply with current adopted fire and building code at the time of building use change – At time of building use change the facility will adhere to the current code standard of that occupancy type. All commercial businesses utilizing property outside of the specific occupancy use shall be reported to the Calaveras County Building Department for code enforcement purposes.

SECTION 12: RELIEF, ALTERNATE MEANS OF COMPLIANCE, and APPEALS

12.1. With approval of the Fire Chief, the Fire Code Official shall have the authority to allow Relief from compliance with a section or sections of EPFD Ordinance 2020 or an Alternate Means of Compliance to sections of the CFC and the amendments herein. Granting Relief and/or allowing an Alternate Means of Compliance shall be allowed only when based upon special circumstances and/or findings as described below.

The granting of Relief shall be based upon the following:

1. A finding that the Building and or Development Project cannot comply to the requirements because of special circumstances applicable to the property or Building such as when the physical characteristics of the property or engineering issues related to the design and construction of a Building.
2. A finding that an Alternate Means of Compliance cannot be provided.
3. A finding that providing Relief does not jeopardize life safety.
4. Financial hardship, community benefit, or the worthiness of a project are not considerations in determining whether to grant relief.

Allowing an Alternate Means of Compliance:

1. An Alternative Means of Compliance may be allowed only when based upon a finding that the purpose and intent of the requirement from which the Alternate Means of Compliance is granted will be substantially achieved by an alternative means or method.

12.2. Nothing in the sections above shall be interpreted or implied that an owner and or Developer has the right to Relief and/or the allowance of an Alternate Means of Compliance.

12.3. The Fire Chief, Fire Code Official, or his/her designee may impose conditions or improvements not specifically delineated within EPFD Ordinance 2020 that it finds necessary to implement the intent and purpose of EPFD Ordinance 2020.

Appeals

The Board of Directors of the Ebbetts Pass Fire District shall act as the final appellate body in matters regarding the implementation of requirements outlined in EPFD Ordinance 2020.

12.4. Any decision or requirement placed or made by the Fire Chief, Fire Code Official or his/her designee may be appealed in writing to the Ebbetts Pass Fire District Board of Directors within 15 days of the applicant's receipt of notice of the requirements. The written appeal shall state the requirements being appealed and the basis for which the appeal is being submitted. The written appeal may request deletion of a requirement, reduction in requirements, or a request for consideration of Relief or Alternate Means of Compliance.

12.5. The Appeal shall be agendaized for hearing at a regular monthly Board meeting within 60 days following the date the appeal request was received. The appeal hearing may be postponed and rescheduled for a future Board meeting at the request of the applicant.

12.6. The applicant shall be notified as to the date and time of the regular Board meeting at which his/her request shall be considered.

12.7. The Board shall hear testimony by any and all parties involved and then make a determination to sustain, modify, overrule any condition or requirement, address any oversight, provide Relief, allow an Alternate Means of Compliance or any combination thereof.

12.8. The Board may postpone the final decision to gather more facts and/or hear additional testimony.

12.9. If new facts are presented during the appeal process, the matter shall be referred back to the Fire Chief and/or Fire Code Official for review, reconsideration and recommendations.

12.10. All actions taken by the Board regarding the granting or denial of the final appeal shall be documented as part of the minutes of the meeting during which the appeal was heard. Within ten days of a final decision being made, Board action shall be reported in writing to the applicant and any other affected person.

12.11. Any action taken by a Board, by the Fire Code Official or by the Fire Chief pursuant to EPFD Ordinance 2020 regarding appeals, Relief or Alternate Means of Compliance shall not necessarily be deemed as a precedent for the granting of appeals, Relief or Alternate Means of Compliance subsequent to that action.

12.12. The Fire Chief and/or Fire Code Official maintain the authority to impose temporary requirements, impose restrictions and/or take necessary actions to ensure the safety of the public during the appeals process.

12.13. The filing of an appeal regarding any of the requirements of EPFD Ordinance 2020 shall not stay (postpone):

1. Proceedings for criminal prosecution for violations of EPFD Ordinance 2020.
2. An order for correction of a matter which, in the judgment of the Fire Code Official poses a serious and immediate threat to life or property.

SECTION 13: PENALTIES

Enforcement and Penalties

13.1. Any person who violates any of the provisions of EPFD Ordinance 2020 shall be guilty of an infraction and / or a misdemeanor.

13.2 Fines imposed under this chapter shall be as set forth in Government Code Section 25132(c) and any amendments thereto.

13.3. Each and every day of which any violation of EPFD Ordinance 2020 is committed, continued or permitted by any person shall constitute a separate violation hereof.

13.4. Pursuant to Penal Code Section 836.5, the Board of Directors of the Ebbetts Pass Fire District authorizes the following officer positions and employees to enforce EPFD Ordinance 2020 as provided under Penal Code Section 836.5

- Full-time paid Chief Officers (Fire Chief, Assistant Chief(s), Battalion Chiefs)
- Full-time paid Fire Captains or Acting Captains
- Fire Code Official whose primary duty is the enforcement of requirements related to fire prevention contained in EPFD Ordinance 2020.

13.5. Proceedings against persons for violations of EPFD Ordinance 2020 shall not serve as a bar to civil enforcement proceedings.

13.6. It is unlawful to build a Building or improve land in violation of any conditional requirement imposed by the Fire Code Official, or fail to submit plans for review as required by Section 5 of EPFD Ordinance 2019, or fail to meet conditions and/or requirements agreed upon by the builder/developer and the Fire Code Official and by which a certificate or approval of occupancy was conditionally granted.

13.7. It is unlawful for any person to violate or omit any of the requirements under which a permit, certificate or approval for occupancy was granted,.

13.8. It is unlawful for Any person to fail to comply with any order as affirmed or modified by the Board of Directors, Fire Code Official, or the District Chief within the time frame indicated upon notice and/or fixed herein.

13.9. The application and payment of fines and/or imprisonment shall not be held to prevent compliance with required corrections and or provision of requirements that initiated action against the developer/builder/owner.

Date of Effect

EPFD Ordinance 2020, having gone through the process of ordinance adoption as required by law, shall take effect and be in force thirty (30) days after duly being passed and adopted by the Board of Directors of the EBBETTS PASS FIRE PROTECTION DISTRICT and Ratification by the Calaveras County Board of Supervisors.

THE FOREGOING ORDINANCE WAS DULY PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE EBBETTS PASS FIRE PROTECTION DISTRICT ON:

THE 16TH DAY OF FEBRUARY, 2021, BY THE FOLLOWING VOTE:

AYES: Barr, Clemens, Dashner, McKinney, Neal
NOES: none
ABSENT: none

/s/ Dennis P. Clemens
President, Board of Directors

BOARD OF SUPERVISORS RATIFICATION

THE FOREGOING ORDINANCE WAS DULY RATIFIED BY THE BOARD OF SUPERVISORS OF CALAVERAS COUNTY ON THE 8TH DAY OF JUNE, 2021, BY THE FOLLOWING VOTE:

AYES: Stopper, Folendorf, Toffanelli, Garamendi, Callaway
NOES: none
ABSENT: none

/s/ Ben Stopper
Chairperson, Board of Supervisors

APPENDIX A - SUMMARY EXPLANATION OF AMENDMENTS

CFC= California Fire Code CCC=Calaveras County Fire and Life Safety Ordinance

PRC= Public Resources Code

CODE	Code Section	Title/Subject	EPFD Ordinance Section	Intent and Summary Requirements of Amendment
CFC	104.2	Applications/Permits	4.1	To define which Building and development activities require submission of plans for District review.
CCC	8.10.320	Fire Management Plans	4.2	To allow the District to impose more stringent mitigations if found necessary.
CFC	3404.1	Flammable Liquid Storage	5.1	Requires District approval for the installation of any aboveground tank for the storage of Class I, II and III flammable liquids
CFC	3804.2	Installation of LPG Tanks	5.2A	Requires District approval for the installation of LPG tanks in excess of 500 gallons.
CFC	3807	LPG Safety Devices	5.2.B-D	Requires the addition of additional fire protection/safety measures for the protection of larger propane tanks
CFC	3308	Fireworks	6	Bans the sale and use of all fireworks within District boundaries
CFC	907.2	Fire Alarm Systems-Automatic Fire Detection Systems-New Buildings	7.1 and 7.5	Requires the installation of a monitored fire detection system in newly constructed commercial/industrial Buildings
CFC	907.3	Fire Alarm Systems-Automatic Fire Detection Systems-Existing Buildings	7.2 and 7.5	Requires the installation of a monitored fire detection system in existing commercial/industrial Buildings that are renovated
CFC	907.7.5	Automatic Fire Detection and Automatic Fire Sprinkler Systems-Monitoring	7.4	Requires the monitoring of all fire detection systems.
CFC	903.2	Automatic Fire Sprinkler Systems-New Buildings	7.8	Requires the installation of a fire extinguishing system in any new commercial or industrial Building in excess of 3600 square feet
CFC	903.6	Automatic Fire Sprinkler Systems-Existing Buildings	7.8	Requires the installation of a fire extinguishing system in any commercial or industrial Building in excess of 3600 square feet which is renovated
CFC	903.3	Automatic Fire Sprinkler Systems-Installation	7.9	Requires installers of fire alarm and fire extinguishing systems be licensed/certified.
CFC	904.4	Automatic Fire Sprinkler Systems-Inspection/Testing	7.9/7.10	Places responsibility for the testing and maintenance of fire alarm/extinguishing systems with the owner.

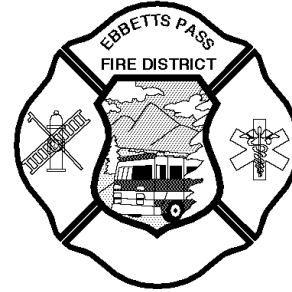
CODE	Code Section	Title/Subject	EPFD Ordinance Section	Intent of Amendment
CCC	8.10.340	Roads and Driveways	8.2	Gives authority to the District's Fire Code Official to require that fire access roads, driveways and areas be cleared of obstructions.

CFC	Appendix D	Fire Apparatus Access Roads	8.2	Gives authority to the District's Fire Code to require the provision of fire lanes, no parking areas, etc., found necessary but not otherwise required by the CFC or CCC.
CCC	8.10.200	Premises Identification	8.5 - 8.7	Gives authority to the District's Fire Code Official to modify the requirements contained within the CCC to accommodate local climactic and topographical conditions.
PRC	4291 (a) and 4290	Defensible Space	9.4	Extends the defensible space requirements contained in the reduced clearance zone to unimproved lots/parcels.
CFC	4601	Existing Buildings – Adequate Water Supplies	10.3	Gives authority to the District's Fire Code Official to require the installation of an adequate water supply when an existing Building is renovated.
CCC	8.10.520	Water Supply Systems	10.4 - 10.5	Requires that the District's Fire Code Official approve any modifications, additions, and improvements to existing water systems including the installation of additional hydrants. Allows the District's Fire Code Official to allow reasonable exceptions to required hydrant spacing and fire flow requirements to accommodate a phased improvement program of an existing water system. Requires the installation of a water distribution system for fire protection within any new subdivision.
CFC	Appendix C C105	Distribution of Fire Hydrants	10.10 - 10.12	Gives authority to the District's Fire Code Official to increase/decrease hydrant spacing in order to put hydrants in a more functional location.
CFC	507.5.4/507.5.5/507.5.6	Hydrant Protection, Marking and Access	10.19 - 10.28	Gives authority to the District's Fire Code Official to require additional means for protecting and marking hydrants and to require discharge risers.

APPENDIX B

Ebbetts Pass Fire District

Ebbetts Pass Fire District Clearance Requirements For Unimproved Lots and Parcels



Regulations pertaining to fire safe clearance on properties within the boundaries of the Ebbetts Pass Fire District originate from two different ordinances which are enforced by two different agencies.

Regulations Pertaining to Improved Properties

In January 2005, new regulations under Cal Fire's Public Resources Code 4291 became effective. These regulations require that homeowners provide additional clearance around buildings and structures built within the wildland/intermix areas of the state. This law requires homeowners provide a 30-foot Defensible Space Zone with an additional 70-foot Reduced Fuel Zone around structures. Cal Fire has primary responsibility for inspection and enforcement of fire hazard reduction regulations around homes and buildings. See Cal Fire's form for detailed information.

Regulations Pertaining to Unimproved Properties

In order to help enhance the effectiveness of PRC 4291 requirements and add to the safety of our homes, families, communities and the safety of Firefighters trying to protect homes and property from wildfires, **Ebbetts Pass Fire District Ordinance 2020, Section 9 extends the Reduced Fuel Zone concept to the unimproved** (vacant) subdivision parcels or **lots**.

The purpose of extending the Reduced Fuel Zone concept to unimproved lots and parcels is based on the premise that modifying the fuel load on a vacant lot or parcel will help keep a wildfire from intensifying as it moves. This modification on a vacant lot or parcel reduces heat intensity, reduces flame length and helps keep flames from spreading from the ground to the tree tops.

Ebbetts Pass Fire District Ordinance 2020 Section 9 covers:

- Unimproved lots or parcels within established subdivisions.
- An unimproved lot or parcel that is outside the boundaries of a subdivision but adjacent to improved parcels within the subdivision.
- Modification requirements for unimproved parcels or lots are the same as Cal-Fire's PRC 4291 requirements for the Reduced Fuel Zone.

The following criteria/explanation has been established so the property owner and the hired worker will know what is required to bring an unimproved lot or parcel into compliance with Ebbetts Pass Fire District Ordinance 2020, Section 9.

The primary goal of our fuel reduction program is to keep fire from going from the GROUND to the CROWN of trees. Information below will help you achieve that goal.

1. Cut down and remove dead trees. Remove limbs on cut and already downed trees and dispose of both properly. If there are standing dead trees, they must be cut down. Newly cut trees and those which have fallen must be cut

up and stacked or removed from the lot entirely. Do not stack next to or under live trees. Branches from these trees may NOT be left on the ground – they must be removed from the lot. Dead trees are both a fire and safety hazard. Contact your local forester for details about bug infested trees.

2.Remove dead branches and trees which are leaning into or against larger trees.

If dead branches or dead trees are leaning into or against live trees, they must be removed. Any trees, live or dead, that have fallen into other trees, (ex: “leaners”) must be dropped to the ground, cut up and stacked or removed from the lot. Dead branches and trees ignite quickly. If the “fire ladder” has not been eliminated, a fire within those trees will quickly “climb” the ladder of limbs and begin spreading faster, gaining heat and momentum with every tree consumed.

3.Remove and dispose of all dead tree limbs within 15 feet of the ground. Remove live branches to 6 feet (if tree height is 6 feet or less, remove 1/3 of the branches p live or dead).You may be required to limb higher depending on slope of land.

The primary goal of our fuel reduction program is to keep fire from going from the GROUND to the CROWN (top) of trees. Remove ALL dead tree limbs that are within 15 feet of the ground. Live branches must be removed to give 6 feet of clearance from the ground. This means that if ANY PORTION of the dead limb HANGS within six feet of the ground, the limb MUST be removed. If there is a slope to the property, you may be requested to limb higher, so there are six feet of clearance between the ground and the first set of branches. If you are six feet tall and can walk under the tree without bending, you have limbed high enough. If a tree is six feet or less, remove 1/3 of the branches. Properly dispose of limbs by hauling, chipping or by burning following legally established burning restrictions. A **FIRE LADDER** is the means by which a fire travels from the ground via flammable material, into a tree. Fire traveling to the top of a tree is called “**crowning**”. Remove ladder fuels such as live tree limbs, to a height of at least six feet. A SIX FOOT TALL PERSON SHOULD BE ABLE TO WALK FREELY UNDER YOUR TREES. If the limbs are dead, remove to 15 feet.

4.Remove dead branches on ground.

During most winters, dead branches are blown from trees. These must be removed from the ground so that they do not help fuel a fire and for the safety of the firefighter.

5.Remove all dead brush and brush growing under trees and bushes.

Dead brush, whether under trees, bushes, or lying on the ground, is fire fuel. The more fire fuel, the hotter the fire and more damage to trees and nearby structures will occur. Maintain a vertical clearance space of at least 3 times the height of a shrub between any shrub and overhanging tree branch.

As an example, if an entire Manzanita or lilac bush is dead, REMOVE THE ENTIRE BUSH. If a portion of the bush is dead, you may opt to remove only the dead portion. If a few limbs are dead, removal of those dead limbs from that bush may be sufficient, depending on what is around or above the brush/bush.

6.Remove accumulations of dead materials and/or flammable ground vegetation from underneath and within brush.

This type of debris occurs because of weather. Wind causes limbs to break, dead pine needles to blow off the trees. This is typical “winter fall”. If this debris is not removed yearly, it continues to accumulate and cause a fire hazard. If this is removed yearly, it is usually not much of a chore to keep the fire fuel controlled on your lot. Piles of debris must not be left on your lot – they must be removed. Dead or live brush removal and removal of debris from under trees slows the progression of fire.

7.Thin manzanita bushes. Remove all dead wood from the plant. Remove all dead manzanita bushes.

Manzanita is highly flammable and volatile. If you wish to keep your manzanita, you must: remove all dead branches; clear around the bush or clump of bushes. A simple guideline is to create space between plants equal to their height.

If manzanita is growing under a tree, and it were to catch on fire, the flames would be three times the height of the plant. If a plant is 6 feet tall, the flame length would be 18 feet! In that situation, the manzanita should be removed, or the tree limbed at least 18 feet. If a manzanita bush is dead – remove the entire bush.

8. Accumulations and/or piles of dead and dying material must be removed.

Remove all debris lying on ground. When needles, grass, cones and leaves are raked into piles, the piles must be removed. Piles of debris are fuels that will carry a small, manageable fire and spread it throughout a lot and into the trees very rapidly. Downed wood and debris become kindling for a fire. Limbs will create flame lengths that carry fire into brush and trees. 3” – 4” of accumulated pine needles may be left on the lot forming a “carpet of needles” which helps hold moisture in the ground and helps prevent soil erosion. If the “fire ladder” has been removed, the pine needles are more easily managed because there is no fire ladder to carry the flames into the trees.

9. Remove dead and/or dying smaller trees growing under and/or within the limbs of taller healthy trees.

This could act as a “fire ladder”. These small, dying or dead trees are extremely flammable. If they are ignited, they carry fire very quickly into the trees, gaining heat and momentum with every tree consumed.

10. Thin saplings and/or small trees.

All of these saplings will not grow to maturity and they create ladder fuels that endanger the health of mature trees.

11. Cut bear clover and/or ground cover vegetation to a height of 3” – ” inches or lower.

Bear clover, also known as mountain misery is highly flammable. The taller this native plant grows, the more flammable it becomes. If you wish to keep the mountain misery, it should be maintained to be no higher than 3 inches. If the bear clover is growing underneath low-growing green bushes, or under saplings, the bear clover should be removed, or remove the bush and/or sapling.

12. Cut ALL dead and/or dying grass and weeds.

Dry, cut grass, leaves and pine needles may stay on the ground, but may be no more than 3 – 4 inches deep.

13. No Cannabis cultivation on unimproved lots in areas zoned R1, RR, GF, and unimproved commercial property under 6 acres.

Cannabis is a form of vegetation that contributes to fire loading.

IN ADDITION TO THE FOREGOING CRITERIA, large areas of brush **MUST** be reduced. This can be accomplished in several ways:

- Create cleared areas or “spaces” around individual bushes. The size of the cleared area around the bush needs to equal the height of the bush that will remain. All flammable debris in that area must be removed. Leaving a pattern of bushes with space between them can be done throughout an entire parcel.
- Create “islands” of bushes. Numerous bushes can remain on the parcel in a group (no larger than ten feet in diameter) with a cleared area around the grouping. The cleared area must equal the diameter of the grouping or “island” of bushes.
- Create fuel breaks along property lines and within properties, especially along property lines which are adjacent to property with a home, properties which are upslope or properties adjacent to forest lands. These fuel breaks can be accomplished by removing all brush along a 15 to 20 foot strip, property line to

property line. Properly dispose of all cut brush by hauling, chipping or by burning following legally established burning restrictions.

All cut and/or downed debris shall be disposed of by Hauling, Chipping, Burning (following legally established burning restrictions) or other methods of disposal approved by the property owner and by Ebbetts Pass Fire District or Cal Fire. At NO TIME shall debris be buried on the parcel, deposited on the property of another, dumped into holes on the parcel or covered by pine needles.

If a canopy exists (tops of trees touching or intertwined), the canopy must be interrupted.

Before burning always call the Air Quality Control number in San Andreas to ascertain if it is a “burn day”.
Burn Information Line: 209-754-6600.

Under certain conditions, i.e. topography or fuel type, the Ebbetts Pass Fire District may require more or less fuel reduction on one parcel than on another.

Fire safety/prevention is every property owner’s responsibility. Please help us keep your property safe.

Thank you. Ebbetts Pass Fire District

For more information or assistance please call
Ebbetts Pass Fire District Fire Prevention
Joan Lark, Prevention Officer
209-795-7393
joanlark@epfd.org

Rev. 8.22.19