

**NORTH CENTRAL FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING
THURSDAY, DECEMBER 15, 2022
START TIME: 4:30 P.M.
LOCATION: 15850 W. KEARNEY BLVD., KERMAN CA.**

AGENDA

The North Central Fire Protection District Board of Directors meetings are electronically broadcast. You can view the meeting on the District's website, www.northcentralfire.org, by selecting Administration, then Board Meetings from the drop-down menu and clicking the "[Live Stream](#)" link. Please note this is not an interactive forum.

Anyone wishing to address the Board on any agenda item, can do so by written communication or in person during a Board of Directors meeting. In order to allow time for all public comments, individuals are limited to five minutes total for each action item.

- 1. CALL TO ORDER**
 - A) Roll Call

- 2. INVOCATION AND FLAG SALUTE**

- 3. SWEARING IN OF ELECTED BOARD MEMBERS**
 - A) Swear-in elected Board Members Foglio, Nonini and Golden

- 4. REORGANIZATION OF BOARD OFFICERS**
 - A) Election of Board Chair, Board Vice-Chair and Board Secretary

- 5. PUBLIC COMMENTS**

- 6. CONSENT AGENDA**
 - A) Consideration and Approval of Disbursements Lists for October and November 2022
 - B) Review and Acceptance of Monthly Financial Reports
 - 1) Fresno County: Cash Balances – All Funds
 - 2) Budget Variance Report: YTD Expenses Compared to Budget
 - 3) Revenue and Reimbursement Report
 - C) Approve American Ambulance Contract Amendment

- 7. APPROVAL OF MINUTES**
 - A) Minutes of the Regular Board Meeting of October 27, 2022

- 8. BOARD MEETING DATES – CALENDAR YEAR 2023**
 - A) Action item – Consider and approve proposed board meeting dates for the 2023 calendar year.

- 9. FIRE CODE ORDINANCE NO. 2022-01**
 - A) Action item – Introduction and review of Fire Code Ordinance No. 2022-01.
 - B) Schedule the Public Hearing.

10. **RESOLUTION NO. 22-13 – MAKING AND ADOPTING EXPRESS FINDINGS THAT MODIFY OR CHANGE THE CFC TO ENSURE THEY ARE REASONABLY NECESSARY**
 - A) Action item – Consideration and adoption of Resolution No. 22-13 making and adopting express findings that modify or change the CFC to ensure they are reasonably necessary.

11. **NOTICE OF EXEMPTION – CEQA REQUIREMENTS FOR THE DISTRICT’S FIRE CODE ORDINANCE**
 - A) Action item – Consideration and adoption of the Notice of Exemption - CEQA requirements.

12. **RESOLUTION NO. 22-14 AUTHORIZING THE DISPOSITION OF EXCESS DISTRICT PROPERTY**
 - A) Action item – Consider and adopt Resolution No. 22-14 authorizing the disposition of excess District property.

13. **FIRE CHIEF REPORT**
 - A) Fire Incident/Fire Prevention Reports for October and November 2022
 - B) Operational Update

14. **CLOSED SESSION**
 - A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Section 54956.9: Number of cases: 1
 - B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
TITLE: Fire Chief
 - C. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS PURSUANT TO GOVERNMENT CODE SECTION 54956.8
APN: 02520017S
Property: Kerman 93630
Agency Negotiation: Chief Tim Henry
Negotiating Parties: Roland C. and Darlene A. Nale
Under Negotiation: Price and Terms of Sale

15. **BOARD MEMBER COMMENTS/REPORTS**

16. **ANNOUNCEMENTS**
 - A) Regular Board Meeting: Thursday, January 26, 2023, at 4:30 p.m.

17. **ADJOURNMENT**

PUBLIC COMMENTS AND INQUIRIES

At a Board meeting, those who wish to be heard on matters on the agenda should indicate their desire to speak when the item is ready for discussion. If, at the meeting, you wish to discuss an item, which is not on the agenda, you may indicate your desire to do so under "Public Comments". In order to allow time for all public comments and inquiries, the time for individual comments may, at the discretion of the Chairman of the Board, be limited to five minutes. If you wish to request time on an upcoming Board Agenda to present a particular item or matter to the Board, you may contact the District by 5:00 p.m. seven business days prior to the scheduled Board meeting to so request. If the matter is within the Board's jurisdiction, and the Board has not taken action or considered the item at a recent meeting, the District may place the item on the agenda. When addressing the Board, you are requested to come forward to the speaker's podium, state your name and address, and then proceed with your presentation. In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate at this meeting, please contact the District at 559-878-4550. Notification provided a minimum of 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled.

**NORTH CENTRAL FIRE PROTECTION DISTRICT
DISTRICT FUND CASH BALANCES**

FUND CASH BALANCES	GENERAL	CAPITAL EQUIPMENT	BUILDING	EMS	SICK LEAVE	RESERVE FUND	RISK CONTINGENCY	TOTAL OF ALL FUNDS
FUND CLASS #	10000	20000	41400	41410	41420	41430	41440	
Beg Balance 10/01/2022	2,056,834.08	4,483,273.82	319,978.32	454,570.33	35,194.26	349,049.93	122,235.43	7,821,136.17
Ending Balance 11/30/2022	1,170,415.25	4,484,459.81	320,062.94	456,155.89	35,203.56	349,142.20	122,267.74	6,937,707.39



NORTH CENTRAL FIRE PROTECTION DISTRICT

Board of Directors: Ken Abrahamian • Michael Foglio

Michael Golden • Rusty Nonini • Amanda Souza

Fire Chief: Timothy V. Henry, CFO, EFO

Fire Headquarters

15850 W. Kearney Boulevard

Kerman, California 93630-9335

(559) 275-5531 • FAX (559) 846-3788

www.northcentralfire.org

MEMORANDUM

TO: North Central Board of Directors

FROM: Timothy Henry, Fire Chief

DATE: December 15, 2022

SUBJECT: American Ambulance Lease Agreement Renewal

Attached for the Board's review and approval is a renewal of the agreement between the District and American Ambulance for the lease of 966 square feet to house American Ambulance staff at Station 58.

The agreement provides for a monthly rent plus reimbursement to the District for a portion of the utilities.

The major changes are:

- Four-year term from 1/1/23 to 12/31/26
- Designation of parking spaces for American Ambulance staff
- Increase in annual rent from \$17,388 to \$20,286 through 12/31/24
- Increase in annual rent from \$20,286 to \$20,865.60 for 1/1/25 through 12/31/26

The current lease agreement with American expires December 31, 2022. The new lease will become effective January 1, 2023 and go through December 31, 2026.

Recommended Action: Approve the four-year agreement with American Ambulance to lease rooms at District Station 58 located at Shields and Grantland.

**LEASE AGREEMENT
BETWEEN
NORTH CENTRAL FIRE PROTECTION DISTRICT
AND AMERICAN AMBULANCE**

Regarding North Central Station 58

7285 West Shields Avenue, Fresno

October 26, 2022

THIS LEASE ("Lease") is made as of December, 2022, between NORTH CENTRAL FIRE PROTECTION DISTRICT, a California fire protection district, organized and operated pursuant to the Fire Protection District Law of 1987, Health and Safety Code, Sections 13800, et seq., (hereinafter referred to as "DISTRICT"), and K.W.P.H. Enterprise (dba American Ambulance), a California corporation, (hereinafter referred to as "AMERICAN").

1. GRANT AND DESCRIPTION OF LEASEHOLD. DISTRICT owns in fee and hereby leases to LESSEE, in "as is" condition, on a turnkey basis (i.e., including facilities, a portion of the improved property known as DISTRICT Station 58 (located at 7285 West Shields Avenue, Fresno, California), as more completely described and depicted in Exhibit "A," attached hereto and incorporated by reference herein, and hereinafter referred to as the "Property."
2. TERM. DISTRICT leases to AMERICAN the above described Property for an initial term commencing on January 1, 2023, and ending on December 31, 2026. The DISTRICT and AMERICAN agree to engage in negotiations regarding a new agreement or extension of the existing agreement during the last four months of this agreement.
3. RENT. Monthly rent shall be charged in accordance with the schedule attached hereto as Exhibit "B."
4. UTILITIES. AMERICAN will be responsible for the cost of water, sewage, trash, gas, and electricity arising from AMERICAN's use of the Property. AMERICAN shall be responsible for paying all such sub-metered costs of utilities.
5. AMERICAN IMPROVEMENTS/USE .
 - A. AMERICAN may use the Property for the purpose of staging ambulance equipment for emergency response. AMERICAN may locate upon the Property

fixtures and equipment as are necessary in pursuit of AMERICAN's permitted use of the Property and such shall at all times remain the property and responsibility of AMERICAN. AMERICAN may undertake improvements additional to above only (i) upon approval of the DISTRICT, which approval shall not be unreasonably withheld, and (ii) at AMERICAN's sole cost, expense, and risk. AMERICAN shall be responsible for all required permits/approvals including any/all associated costs, provided DISTRICT shall fully cooperate in this regard. AMERICAN shall be responsible for any damage to the Property caused by installation, operation, and/or removal of AMERICAN improvements, fixtures, and equipment and to ensure that the Property is returned in a clean condition, normal wear and tear excepted.

1. The DISTRICT provides two designated parking stalls for AMERICAN ambulance vehicles. AMERICAN ambulance vehicles shall NOT park alongside or impede the entry/exit driveways and park only in designated parking stalls.

B. AMERICAN agrees to comply with all applicable laws, ordinances, and regulations in connection with its use of the Property. DISTRICT covenants that the Property is suitable for the intended use of AMERICAN, and is in compliance with all applicable laws, ordinances, and regulations for said use.

C. AMERICAN shall not commit any acts on the Property, nor use the Property in any manner that will increase the existing rates for or cause the cancellation of any fire, liability, or other insurance policy insuring the Property or the improvements on the Property. If, following notice and not less than thirty (30) days opportunity to cure, AMERICAN's occupancy or use of the Property results in an increase in the insurance costs or property taxes, AMERICAN will reimburse DISTRICT for such increased costs or taxes within thirty (30) days of DISTRICT giving notice to AMERICAN of a right to reimbursement under this section and DISTRICT providing

AMERICAN with documentation of increased costs of taxes. AMERICAN, following notice thereof, shall, at AMERICAN's own cost and expense, reasonably comply with all requirements of DISTRICT's insurance carriers that are necessary for the continued maintenance at reasonable rates of fire and liability insurance policies on the Property and the improvements on the Property.

D. AMERICAN shall not commit any waste or any public or private nuisance upon the Property. AMERICAN shall not do anything on the Property that will cause damage to the Property.

E. The parties acknowledge and agree that a portion of Station 58 not otherwise leased to AMERICAN hereunder, is and may during the term hereof continue to be used by the DISTRICT for fire protection services provided that such use shall be subject to and consistent with applicable laws, regulations, and requirements and not unreasonably interfere with AMERICAN's use.

F. There will be during the term of this Lease and no less often than annually, meetings between AMERICAN's representatives and DISTRICT's representatives to review performance under this Lease and address issues and concerns related to this Lease. Such meetings may be conducted in Person or by telephone.

G. DISTRICT shall retain ownership of all facilities and equipment owned by DISTRICT hereunder on the effective date hereof.

6. MAINTENANCE AND REPAIR.

A. DISTRICT shall be responsible for and maintain and repair all capital and structural portions of the Property including the roof, plumbing, electrical, and heating/air conditioning systems in a good, clean, and safe condition. AMERICAN shall perform day-to-day routine maintenance and repair of DISTRICT owned property.

B. AMERICAN, at AMERICAN's own expense, shall repair all damage to the

Property or to the improvements thereon occasioned by AMERICAN's lack of ordinary care. Without limitation by any other provision of this Lease, AMERICAN shall be responsible to pay for, or reimburse DISTRICT, for all damages, costs, or expenses incurred in connection with installing or removing any improvements made by AMERICAN in connections with this Lease.

C. Except as otherwise provided in this Lease, AMERICAN shall perform, at AMERICAN's sole expense, all repairs and maintenance for all AMERICAN owned improvements thereon. Any repairs by AMERICAN shall be made promptly with first- class materials, in a good and workmanlike manner, and in compliance with all applicable laws of all governmental authorities.

7. NON-PERFORMANCE AND TERMINATION.

A. "Event of Default" means "just cause," namely, the material breach of this Agreement by American or District of their employees or agents. Within a reasonable time of learning of the occurrence of an Event of Default, the non-defaulting party shall give written notice ("Notice of Complaint") to the defaulting party specifying in reasonable detail the Event of Default. The defaulting party shall have sixty (60) calendar days from its receipt of a Notice of Complaint to cure the Event of Default in a reasonable manner or take reasonable steps to so cure or rectify or remove or give reasonable assurances to the non-defaulting party that such Event of Default will be cured or rectified or removed within a reasonable period of time. In the event the defaulting party fails to cure or rectify the breach, the non- defaulting party may (without limitation of any other remedies available to such non- defaulting party) terminate this Agreement by given written notice of such termination

("Notice of Termination") to the defaulting party stating that this Agreement is terminated and the reasons of thereof. In that event, said termination shall be

effective upon receipt by the defaulting party of the written Notice of Termination.

B. Either party may terminate this contract without cause by giving the other party six (6) months written notice.

C. Upon any expiration or earlier termination of this Lease, AMERICAN shall surrender the Property to DISTRICT in as good a condition and repair as existed on the date of this Lease, less reasonable wear and tear.

8. LIABILITY. DISTRICT shall not be responsible for any injury or damage to any person or property in or about the Property caused by any act, neglect, fault of, or omission of any duty by AMERICAN, its agent, servant, employees, or invitees. AMERICAN agrees to maintain insurance in an amount of \$1,000,000 to fund any liability for any act, neglect, fault of, or omission of any duty arising out of AMERICAN's use and occupation of the Property.
9. IMPROVEMENTS/FIXTURES . It is further mutually understood and agreed that any equipment, fixtures, or apparatus installed in or on the Property by AMERICAN, shall continue to be the Properties of AMERICAN and shall be removed by AMERICAN, without damage to the Property, at the expiration or earlier termination of this Lease. As to any permanent improvements /fixtures, such may be left upon the Property as mutually agreed by the parties including DISTRICT's payment of the then current market (depreciated) value, if any.
10. RIGHT OF ENTRY. DISTRICT, or its representatives, shall upon giving AMERICAN two hours notice of intention to enter during normal working hours (6 a.m. to 6 p.m.), or twenty-four (24) hours notice of intention to enter outside of normal working hours, have the right to enter the Property at any time during the term of this Lease for any lawful purpose.
11. ATTORNEY'S FEES. If any action at law or in equity is brought to recover any rent or other sums under this Lease, or for or on account of any breach of or to

enforce or interpret any of the covenants, terms, or conditions of this Lease, or for the recovery of the possession of the Property, the prevailing party shall be entitled to recover from the other party as part of prevailing party's costs reasonable attorney fees, the amount of which shall be fixed by the court and shall be made a part of any judgement rendered. Furthermore, if DISTRICT incurs any costs of collection for amounts due to DISTRICT by AMERICAN, then DISTRICT shall be entitled to recover all such reasonable collection costs.

12. VENUE. Venue for any action arising out of or relating to this Lease shall only be in Fresno County, California. The rights and obligations of the parties and all interpretation and performance of this Lease shall be governed by the laws of the State of California.

13. NOTICES. Any notice required or intended to be given to either party under the terms of this Lease shall be in writing and shall be deemed to be dully given if delivered personally or deposited into the United States mail, with postage prepaid, return receipt requested, and addressed to the party at the address set forth on the signature page herein. Either party may change its address for purposes of this paragraph by giving written notice of the change to the other party in the manner provided in this paragraph

14. ASSIGNMENT. AMERICAN will not assign this Lease in whole or in part, nor sublet all or any part of the Property.

15. ENTIRETY-SUCCESSION. This Lease represents the entire agreement between

the parties with respect to the subject matter hereof, superseding all prior negotiations, representations, and contracts, and constitutes the entire agreement concerning DISTRICT's leasing of the Property to AMERICAN and the consideration therefore.

16. BINDING ON SUCCESSORS. All rights and liabilities herein given to, or imposed upon, the respective parties hereto shall extend to and bind the respective heirs, executors, administrators, successors, and assigns of said parties. No rights, however, shall inure to the benefit of any assignee of AMERICAN unless the assignment of such assignee has been approved by DISTRICT in writing as provided in Paragraph 17 hereof.

17. AUTHORITY. All individuals executing this Lease on behalf of that entity represent that they are authorized to execute and deliver this Lease on behalf of that entity.

18. SPECIAL PROVISIONS REGARDING ENVIRONMENTAL. Notwithstanding anything else in this Lease, the following environmental provisions shall control:

A. Definition: The term "Hazardous Substances," as used in this Lease shall include, without limitation, flammables, explosives, radioactive materials, asbestos, polychlorinated biphenyls (PCBs), chemicals known to cause cancer or reproductive toxicity, pollutants, contaminants, hazardous wastes, toxic substances or related materials, petroleum and petroleum products, and substances declared to be hazardous or toxic under any law or regulation now or hereafter enacted or promulgated by any governmental authority.

B. Restrictions: AMERICAN SHALL NOT cause or permit to occur:

(1) Any violation of any federal, state, or local law, ordinance, or regulation now or hereafter enacted, related to environmental conditions in, on, under or about the Property, or arising from AMERICAN's use(s) or occupancy(ies) thereof, including, but not limited to, soil and ground water conditions; or

(2) The use, generation, release, manufacture, refining, production, processing, storage, or disposal of any Hazardous Substance in, on, under or about the Property, or the transportation to or from the Property of any

Hazardous Substance, EXCEPT WHERE: (1) such use, generation, release,

manufacture, refining, production, processing, storage, or transportation shall be necessary in pursuit of or incidental to AMERICAN's rights and privileges hereunder, or (2) DISTRICT's advance written consent to any such use,

generation, release, manufacture, refining, production, processing, storage, or transportation shall first be requested in writing and received by AMERICAN.

Any and all such authorizations/consents of DISTRICT shall be deemed given subject to and conditioned upon AMERICAN's fully and faithfully complying with any and all federal, state, or local statutes, laws, ordinances, rules, and/or regulations, now or hereafter enacted, applicable to the use, generation, manufacture, refining, production, processing, transport, transfer, storage, disposal, and/or sale of that/those Hazardous Substances to which any such authorization/consent of DISTRICT may, in any way whatsoever, be deemed to apply.

(3) DISTRICT's consent/approval shall not be required for the use, storage, and disposal of materials/supplies containing hazardous substances where such

materials/supplies shall be lawfully available to BOTH the general public and AMERICAN through commercial retail outlets so long as:

(a) such materials/supplies are NOT for A Resale, are obtained periodically but frequently enough to preclude the storage of unreasonable quantities of such on the Property, and are for use by AMERICAN or AMERICAN's employees, agents, representatives, contractors, or subcontractors in the performance of AMERICAN's normal day-to-day and/or periodic housekeeping and routine, recurring maintenance activities on the Property (e.g., commercial cleaning products [soaps/detergents/solvents] and furniture and floor waxes);

and

(b) so long as the use, storage, and disposal of any and all of such materials/supplies shall be in full compliance with any and all federal, state, and local statutes, laws, ordinances, codes, rules, and regulations applicable thereto now or hereafter enacted (including, without limitation, any and all Occupational Safety and Health statutes, laws, codes, rules, and regulations of the Federal Government and the State of California).

(4) AMERICAN at the written request of DISTRICT, must make available for inspection and copying, at DISTRICT's cost and expense, upon reasonable notice and at reasonable times, any and all the documents and materials AMERICAN has prepared to satisfy the requirements of any Environmental Law(s) or submitted to any governmental regulatory agency; provided, that such documents and materials relate to environmental issues or Environmental Laws and are pertinent to the Property.

(5) DISTRICT must have access to the Property upon notice to AMERICAN and at reasonable times, to inspect the same in order to confirm AMERICAN is using the Property in accordance with Environmental Laws. The costs of any testing deemed necessary by the DISTRICT as a result of an environmental inspection in order to establish compliance as above, will be the responsibility of AMERICAN.

(6) If AMERICAN receives a notice of violation for an alleged failure to comply with an applicable Environmental Law from the regulatory agency responsible for implementation of said Environmental Law, and AMERICAN fails to correct the alleged noncompliance within a reasonable period or does not appeal the Notice of Violation, then DISTRICT, in addition to its rights and

remedies provided elsewhere within this Lease, may enter the Property upon reasonable written notice to AMERICAN and at reasonable times , and take all reasonable and necessary measures as required by Environmental Laws, at AMERICAN's expense, to ensure compliance with Environmental Laws.

(7) AMERICAN must not store, use, or dispose of any Hazardous Materials on the Property, except those Hazardous Materials used in the ordinary course of AMERICAN's authorized uses hereunder, unless AMERICAN first secures the written authorization of the DISTRICT, which shall not be unreasonably withheld, and complies with any reasonable conditions DISTRICT may impose, which reasonable conditions shall be consistent with Environmental Laws, including the submission to DISTRICT of all Material Safety Data Sheets for the Hazardous Materials to be stored. Failure of the DISTRICT to respond to a request for authorization within ten (10) business days from receipt of the request shall be deemed approval.

(8) In the event of AMERICAN's knowledge of a release or threatened release of Hazardous Materials, as defined under this Section, into the environment relating to or arising out of AMERICAN's use or occupancy of the Property, AMERICAN must notify the DISTRICT immediately after release. In the event any written claim, demand, action, or notice is made against AMERICAN regarding AMERICAN's failure or alleged failure to comply with any Environmental Laws, AMERICAN must notify DISTRICT in writing and must provide DISTRICT with copies of any written claims, demands, notices, or action so made.

(9) AMERICAN must undertake such steps to remedy and/or remove any Hazardous Materials and any other environmental contamination that arises out of AMERICAN's use of the Property that are necessary and required by

Environmental Laws to protect the public health and safety and the environment from actual or potential harm as determined by the responsible regulatory agency and to bring the Property into compliance with all Environmental Laws. Such work must be performed at AMERICAN's expense. The DISTRICT must cooperate with AMERICAN so as not to inhibit such work. AMERICAN must submit to DISTRICT its proposed plan for completing such work at the time submitted to responsible regulatory agency. Upon reasonable written notice to AMERICAN, DISTRICT must have the right to review and inspect all such work at any time using consultants and representatives of its choice at DISTRICT's cost and expense.

(10) AMERICAN shall maintain any/all fuel systems and oil water separators to prevent discharge of petroleum contaminants into the waterways that would negatively impact the DISTRICT's National Pollutant Discharge Elimination System permit, if any. Outside use of soaps, surfactants, or materials that would ultimately enter the storm water and negatively impact the DISTRICT's NPDES permit, if any, is prohibited. AMERICAN will be responsible for immediately containing spills and immediately cleaning/remediation any release that can or will impact the storm water systems. Any release or spill, whether or not of a quantity reportable under Environmental Law must be reported to the DISTRICT immediately, if it cannot or will not be cleaned up prior to entering any storm water systems. In the event a release is determined to be beyond AMERICAN's ability to safely address or should the release present an immediate hazard to life or property, AMERICAN shall immediately notify the DISTRICT.

(11) AMERICAN shall be responsible for regularly monitoring, testing, and inspecting any and all of its regulated storage tanks, underground storage tanks (UST) and above ground storage tanks (AST), in accordance with all applicable

Environmental Laws. AMERICAN shall immediately notify the DISTRICT of any release(s) as defined by the applicable environmental laws.

(12) In addition to the indemnification set forth elsewhere in this Lease, AMERICAN hereby indemnifies and agrees to defend and hold harmless DISTRICT, its agents, partner, officer, representatives, and employees, from all costs, claims, demands, actions, liabilities, complaints, fines, citations, violations, or notices of violation arising from or attributable to: (i) the presence of Hazardous Materials at the Property or the subsurface thereof in excess of levels allowable by Environmental Laws or the violation of any Environmental Laws due to AMERICAN's management of Hazardous Materials into the environment (as environment is defined in CERCLA); or (ii) any material breach by AMERICAN of any of its warranties, representations, or covenants in this Section provided, that, AMERICAN shall have no obligation under subsection (i) of this Subsection if the presence of Hazardous Materials at the Property or the subsurface thereof arises from activities not under the management, control, or authorization of AMERICAN. AMERICAN's obligations hereunder will survive the termination or expiration of this Lease, and will not be affected in any way by the amount of, or the absence in any case of, covering insurance, or by the failure or refusal of any insurance carrier to perform any obligation on its part under insurance policies affecting the Property or any part thereof, except that, in the event that DISTRICT recovers funds from insurance carriers in connection with claims associated with (i) and (ii) above, DISTRICT may not recover the same funds from AMERICAN.

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IN WITNESS WHEREOF, the parties have executed this Lease at Fresno, California, the day and year first written.

DISTRICT

AMERICAN

NORTH CENTRAL FIRE PROTECTION DISTRICT

K.W.P.H. ENTERPRISES

By _____
Chairman, Board of Directors

By _____

DISTRICT:

AMERICAN

North Central Fire Protection District
Attn: Fire Chief
15850 W Kearney Blvd
Kerman, CA 93630

American Ambulance
2911 Tulare Street
Fresno, CA 93721-3083

Attachments:

Exhibit "A" - Description/Depiction of Property
Exhibit "B" - Schedule of Rent

**North Central Fire Protection District
Lease Agreement with American Ambulance
Exhibit "A"**

Station 58

Physical Address:

Medics Quarters at
7285 W. Shields
Fresno, CA 93722

Medics Living Quarters

Station 58

Bedroom	238
Bathroom	40
Living Area or Second Bedroom	286
Kitchen	202
Dining Room	91
Lockers or Storage Area	109

Total s.f. **966**

**North Central Fire Protection District
Lease Agreement with American Ambulance
Exhibit "B"**

	Effective 1/1/23	Effective 1/1/25
Square Footage	966	966
Charge/sq. ft:	\$21 Annual \$1.75/mo	\$21.60 Annual \$1.80/mo.
Monthly rent amount	\$ 1,690.50	\$ 1,738.80
Total annual rent	\$20,286.00	\$20,865.60

AMERICAN will be responsible for the cost of water, sewage, trash, gas, and electricity arising from AMERICAN's use of the Property. AMERICAN shall be responsible for paying all such submetered costs of utilities in addition to the per square foot monthly rental charge.

**NORTH CENTRAL FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING
THURSDAY, October 27, 2022, 5:30 P.M.**

MINUTES

1. CALL TO ORDER

District Board Vice Chair Mr. Ken Abrahamian called the meeting to order at 5:35 p.m.

Roll Call

Board Members Present: Mr. Michael Golden, Ms. Amanda Souza, Mr. Michael Foglio, and Mr. Ken Abrahamian.

Board Members Absent: Mr. Rusty Nonini

Also present were Fire Chief Tim Henry, Deputy Chief Jacob McAfee, District Counsel Ken Price, and General Manager Shannon Schroth.

2. INVOCATION AND FLAG SALUTE

The invocation was led by Pastor Michael Jordan of the La Vina Covenant, and the flag salute was led by Chief Henry.

3. PRESENTATION

Chief Henry introduced Sew Easy Quilting Group (La Vina Covenant Church) Chis Otto presented the Board with a quilt that was made by Sew Easy Quilting Group to show appreciation for the board members and the firefighters of North Central Fire Protection District. Mr. Phillip Larson spoke regarding how meaningful it was for the people involved in making the quilt.

4. PUBLIC COMMENTS

None.

Chairman Abrahamian changed the order of the agenda to move Item #11, Closed Session, right after Item #4 Public Comments, then resume with the agenda after closed session.

11. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Section 54956.9: Number of cases: 1

B. CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Chief Tim Henry

Unrepresented employees: All employees not represented by Local 5260

REPORT FROM CLOSED SESSION – The board returned to open session at 6:28 p.m. There was no action to report from closed session.

5. WORKSHOP – PRESENTATION BY PUBLIC AGENCY RETIREMENT SERVICES (PARS) Chief Henry introduced PARS representative Will Rogers

6. CONSENT AGENDA

- A) Consideration and Approval of Disbursements Lists for August and September 2022
- B) Review and Acceptance of Monthly Financial Reports
 - 1) Fresno County: Cash Balances – All Funds
 - 2) Budget Variance Report: YTD Expenses Compared to Budget
 - 3) Revenue and Reimbursement Report

MOTION: To approve the consent agenda as presented.

Moved by: Mr.Foglio, second by Mr. Golden

Mr. Abrahamian:	Mr. Golden:	Mr. Foglio:	Mr. Nonini:	Ms. Souza:	Vote
Aye	Aye	Aye	Absent	Aye	4/0

7. APPROVAL OF MINUTES

- A) Minutes of the Regular Board Meeting of August 25, 2022.

MOTION: To approve the minutes of the Regular Board Meeting of August 25, 2022, as presented.

Moved by: Mr. Golden, second by Mr. Foglio

Mr. Abrahamian:	Mr. Golden:	Mr. Foglio:	Mr. Nonini:	Ms. Souza:	Vote
Aye	Aye	Aye	Absent	Aye	4/0

8. FIRE CHIEF REPORT

- A) Fire Incident/Fire Prevention Reports for August and September 2022
- B) Operational Update

Chief Henry presented the first quarter summary of calls for each station. Chief Henry also reported on two significant working fires and the response time from station 59 and the average response times for the other stations in the district.

9. **UPDATE ON BROWN ACT** – Information Only. District Counsel Ken Price gave updates on the Brown Act, and the specifics of provision SB1100 regarding the steps that must be followed for removal of a disruptive person from a board meeting. Mr. Price also let the board know that AB361 expires in November 2022 and AB2449 is effective January 1, 2023.

10. **CONSIDERATION OF CLAIM AGAINST DISTRICT**

A) Action item - Consideration of Claim filed under the California Tort Claims Act and Authorization to refer matter to District's Insurance Carrier, Fire Agencies Insurance Risk Authority, Claimant Herbert Patterson, Fresno California.

MOTION: To Reject the subject claim and refer it to the Districts insurance company (FAIRA) for further action.

Moved by: Mr. Abrahamian, second by Mr. Golden

Mr. Abrahamian:	Mr. Golden:	Mr. Foglio:	Mr. Nonini:	Ms. Souza:	Vote
Aye	Aye	Aye	Absent	Aye	4/0

12. **RESOLUTION NO. 22-12 AMENDING RESOLUTION 22-08 TO MAKE CHANGES TO ESTABLISHED SALARIES AND BENEFITS FOR CURRENT AND FUTURE EMPLOYEES**

Mr. Abrahamian presented Resolution No. 22-12 amending Resolution No. 22-08 to make changes to established salaries and benefits for current and future employees. Chief Henry briefly described the changes being proposed.

MOTION: Adopt the Resolution No. 22-12 amending Resolution No. 22-08 to make changes to established salaries and benefits for current and future employees.

Moved by: Ms Souza, second by Mr. Foglio

Mr. Abrahamian:	Mr. Golden:	Mr. Foglio:	Mr. Nonini:	Ms. Souza:	Vote
Aye	Aye	Aye	Absent	Aye	4/0

13. **BOARD MEETING SCHEDULE –**

Chief Henry proposed that the regular scheduled board meeting on November 17, 2022, at 5:30 p.m. be canceled. Chief Henry also mentioned he would like to start planning a ribbon cutting ceremony during the early part of December for the newly constructed station 59.

Mr. Abrahamian proposed that the regular board meetings be moved to 4:30 p.m. Mr. Price advised that a motion would not be needed to change the time of the board meeting from 5:30p.m. to 4:30p.m.

14. BOARD MEMBER COMMENTS/REPORTS –
There were no board member reports or comments.

15. ANNOUNCEMENTS

- A) Regular Board Meeting: Thursday, November 17, 2022, at 5:30 p.m. to be canceled
- B) Regular Board Meeting: Thursday, December 15, 2022, at 4:30 p.m.

16. ADJOURNMENT

The meeting was adjourned at 7:35 p.m.
Moved by Mr. Abrahamian; second by Mr. Foglio

Mr. Abrahamian:	Mr. Golden:	Mr. Foglio:	Mr. Nonini:	Ms. Souza:	Vote
Aye	Aye	Aye	Absent	Aye	4/0

Amanda Souza, Board Secretary
North Central Fire Protection District

Date



NORTH CENTRAL FIRE PROTECTION DISTRICT

Board of Directors: Ken Abrahamian • Michael Foglio

Michael Golden • Rusty Nonini • Amanda Souza

Fire Chief: Timothy V. Henry, CFO, EFO

Fire Headquarters

15850 W. Kearney Boulevard

Kerman, California 93630-9335

(559) 878-4550 • FAX (559) 846-3788

www.northcentralfire.org

MEMORANDUM

TO: North Central Board of Directors

FROM: Tim Henry, Fire Chief

DATE: December 15, 2022

SUBJECT: Board Meeting Dates for 2023

Below is a list of tentative dates set for the 2023 regular board meetings. All the meetings are scheduled for the fourth Thursday of each month, except the November and December meetings, which are scheduled on the third and second Thursday of the month respectively. All the meetings are scheduled for 4:30 p.m.

Please review the list for any possible conflicts with your schedules.

January 26, 2023
February 23, 2023
March 23, 2023
April 27, 2023
May 25, 2023
June 22, 2023

July 27, 2023
August 24, 2023
September 28, 2023
October 26, 2023
November 16, 2023
December 14, 2023

Recommended Action: Consider and approve the dates and times scheduled for the 2023 board meetings.



NORTH CENTRAL FIRE PROTECTION DISTRICT

Board of Directors: Ken Abrahamian • Michael Foglio

Michael Golden • Rusty Nonini • Amanda Souza

Fire Chief: Timothy V. Henry, CFO, EFO

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MEMORANDUM

TO: North Central Board of Directors

FROM: Timothy V. Henry, Fire Chief

DATE: December 15, 2022

SUBJECT: Fire Code Ordinance No. 2022-01

EXECUTIVE SUMMARY

Every three years, the California Building Standards Code (CBSC) is reviewed and modified where applicable and adopted by the California Building Standards Commission. In 2022, the Commission voted to adopt the 2022 edition of the code and the California Fire Code will go into effect January 1, 2023, regardless whether Special Districts formally adopt the new code. The North Central Fire Protection District Fire Code contains added standards, which are adopted or modified by the Board as necessary to ensure the safety of the community.

BACKGROUND

The 2022 CBSC incorporates the 2021 edition of the International Fire Code, as amended with necessary California amendments. The 2022 CBSC will become effective on January 1, 2023, and is mandated by the California Building Standards Commission for statewide adoption and enforcement. The North Central Fire Protection District has the authority to make necessary modifications to the State Code. Modifications that are administrative in nature do not require express findings, however, non-administrative modifications to building standards in the California Fire Code must be supported by an express finding relating to local climatic, geological, or topographical conditions. Staff will be presenting Resolution No. 22-13 later tonight to adopt the express findings that will allow the necessary changes and modifications to the California Fire Code. Additionally, any modification to building standards and to other provisions of the California Fire Code adopted by the California State Fire Marshal cannot be less restrictive in the specific requirements of those provisions.

The adoption of the District's Fire Code Ordinance requires the following steps:

- Introduction and review of Fire Code Ordinance No. 2022-01.
- Scheduling the public hearing to adopt Fire Code Ordinance No. 2022-01.
- Adopt Resolution No. 22-13 making express findings to allow changes and modifications to Fire Code Ordinance No. 2022-01.
- Adoption of the Notice of Exemption – CEQA Requirements.
- Approval to move forward with the adoption process of Fire Code Ordinance No. 2022-01 and send the ordinance to the County of Fresno and the City of Kerman for a required 30-day review period.
- Adopt Fire Code Ordinance No. 2022-01 at the public hearing.
- Send adopted Fire Code Ordinance No. 2022-01 to the County of Fresno and the City of Kerman for ratification.

Attached to this memo is a highlighted version of current Fire Code Ordinance No. 2019-01 showing all the deletions, changes and additions being proposed for adoption in Fire Code Ordinance No. 2022-01. A clean copy of the proposed Fire Code Ordinance No. 2022-01 is also attached.

Recommended Action: Review and approve District to staff move forward with the adoption process for Fire Code Ordinance No. 2022-01 and schedule the public hearing for January 26, 2023.

ORDINANCE NO. ~~2019~~2022-01

AN ORDINANCE AMENDING THE ~~2019-2022~~ CALIFORNIA FIRE CODE AND THE ~~2018-2021~~ INTERNATIONAL FIRE CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE, HAZARDOUS MATERIALS, OR EXPLOSION; AND ESTABLISHING A DIVISION OF FIRE PREVENTION AND INVESTIGATION, PROVIDING OFFICERS THEREFORE, AND DEFINING THEIR POWERS AND DUTIES.

Be it ordained by the North Central Fire Protection District finds as follows:

AN ORDINANCE OF THE BOARD OF THE
NORTH CENTRAL FIRE PROTECTION DISTRICT PROPOSED AND INITIATED BY
Fire Chief Timothy V. Henry

MOVED BY _____ SECONDED BY _____

The ~~2019-2022~~ California Fire Code and ~~2018-2021~~ International Fire Code as amended by the North Central Fire Protection District are hereby adopted.

FIRE PREVENTION

Section

<u>100</u>	<u>Adoption of the California Fire Code</u>
<u>101.1</u>	<u>Title</u>
<u>101.1.2</u>	<u>Limits Established by Law</u>
<u>101.1.3</u>	<u>Responsibility for Enforcement</u>
<u>102.3</u>	<u>Change of Use or Occupancy</u>
<u>102.6</u>	<u>Historic Buildings</u>
<u>102.13</u>	<u>Application of Performance Code for Buildings and Facilities</u>
<u>103</u>	<u>Code Compliance Agency</u>
<u>103.1</u>	<u>General</u>
<u>103.2</u>	<u>Appointment</u>
<u>103.3</u>	<u>Deputies</u>
<u>104.3</u>	<u>Right of entry</u>
<u>104.3.1</u>	<u>Warrant</u>
<u>104.3.2</u>	<u>Inspection Frequency</u>
<u>104.4</u>	<u>Identification</u>
<u>104.7</u>	<u>Liability</u>
<u>104.7.1</u>	<u>Legal Defense</u>
<u>105.5</u>	<u>Required Operational Permits</u>
<u>105.5.15</u>	<u>Exhibits, Trade Shows, and Special Events</u>

105.6.17 Fire Hydrants
105.6.34 Open Burning
105.6.50 Exterior Storage
105.7.16 LP-Gas
106.1 Required Construction Permits
106.2.2 Automatic Fire Extinguishing Systems
107.1 Fees for Fire Inspections
109 Maintenance
109.6 Overcrowding
110.2 Authority to Require Connection to Service Utilities
111.2 Limitations on Authority
112.3.1 Service
112.4 Violation Penalties
112.4.1 Abatement of Violation
113.4 Failure to Comply
114.11 Unsafe Conditions
114.1.2 Structural Hazards
115.2 Cost Recovery
202 General Definitions
304.4 Recycling and Industrial Waste Handling Facilities
304.5 Dumping of Combustible Waste Material
304.6 Removal of Debris
307.1.1 Prohibited Open Burning
312 Vehicle Impact Protection
312.1 General
315.4.3 Additional Requirements for Outside Storage
503.5 Required Gates or Barricades
506 Locked Premises Access
506.1 Where Required
506.1.1 Locks
506.1.1.1 Unauthorized Possession of Fire Department Bypass Key
506.1.1.2 Unauthorized Duplication of Fire Department Bypass Key
506.1.1.3 Penalties
506.2 Key Box Maintenance
507.3 Fire Flow
807.5.1.3 Wood Use in Group A-3 Places of Religious Worship
901.4.5 Additional Fire Protection Systems
901.6.3.2 Problematic Systems
903.1 General
903.1.2 Determination of Building Area
903.3.1 Standards
903.3.1.1.3 Group R Mixed Occupancy Buildings
903.3.1.1.4 Joint Live Work Units Quarters
903.4.3 Floor Control Valves

<u>903.6</u>	<u>Where Required in Existing Buildings and Structures</u>
<u>912.2.3</u>	<u>Address Identification</u>
<u>1025</u>	<u>Means of Egress</u>
<u>1025.1</u>	<u>General</u>
<u>1025.1.1</u>	<u>Maintenance</u>
<u>1104</u>	<u>Construction Requirements for Existing Buildings</u>
<u>1104.7.1.</u>	<u>Door Swing</u>
<u>1104.7.2</u>	<u>Door Hardware</u>
<u>2306.2.3</u>	<u>Above-Ground Tanks Located Outside of Buildings, Above Grade</u>
<u>2401</u>	<u>Flammable Finishes</u>
<u>2401.1.2</u>	<u>Location</u>
<u>2810</u>	<u>Recycling and Waste Handling Facilities</u>
<u>2810.1</u>	<u>Scope</u>
<u>2810.2</u>	<u>Storage Site</u>
<u>2810.5</u>	<u>Security</u>
<u>2810.6</u>	<u>Pile Separation</u>
<u>2810.7</u>	<u>Clearance to Important Buildings</u>
<u>2810.9</u>	<u>Pile Fire Protection Water Supply</u>
<u>2810.10</u>	<u>Fire Extinguishers</u>
<u>2810.12</u>	<u>Sizes of Piles</u>
<u>2810.13</u>	<u>Exterior Storage of Recycled Materials, Industrial Waste and Idle Pallets</u>
<u>5602</u>	<u>Fireworks Ordinance</u>
<u>5604</u>	<u>Prohibition of Explosives</u>
<u>5704</u>	<u>Flammable and Combustible Liquids Storage</u>
<u>5704.3.5.1</u>	<u>Basement Storage</u>
<u>5706.2.4</u>	<u>Permanent and Temporary Tanks</u>
<u>5706.2.4.4</u>	<u>Locations Where Above-Ground Tanks are Prohibited</u>
<u>Appendix B</u>	<u>Fire-Flow Requirements for Buildings</u>
<u>B103.4</u>	<u>Additional Modifications.</u>
<u>Appendix C</u>	<u>Fire Hydrant Locations and Distribution</u>
<u>C103.4</u>	<u>Additional Modifications.</u>
<u>8-103</u>	<u>Historic Buildings</u>
<u>6101</u>	<u>Liquified Petroleum Gases</u>
<u>6101.3</u>	<u>Construction Documents</u>

ADMINISTRATION

SECTION 100 ADOPTION OF THE CALIFORNIA FIRE CODE.

Section 100 of the California Fire Code is added to read:

100 Adoption of the California Fire Code. The ~~2019-2022~~ California Fire Code, as promulgated by the California Building Standards Commission, which incorporates the adoption of the ~~2018-2021~~ edition of the International Fire Code as amended with necessary California amendments, and the ~~2018-2021~~ International Fire Code, including Appendix Chapters E and F, and the ~~2018-2021~~ International Performance Code for Buildings and Facilities Part I and Part III are hereby adopted and amended by the North Central Fire Protection District for the purpose of prescribing regulations governing conditions hazardous to life and property, protection from fire, hazardous materials, or explosions, except such portions as fully as if set out at length herein. The Board does hereby find it is reasonably necessary to make certain changes and modifications to the requirements contained in the rules and regulations adopted pursuant to Sections 17922 et seq. and 18935 et seq. of the California Health and Safety Code; such change or modifications are herein more particularly set forth.

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

SECTION 101.1. TITLE.

Section 101.1 of the California Fire Code is amended to read:

101.1 Title. This code shall be known as the North Central Fire Protection District Fire Code, may be cited as such, and shall be referred to herein as "this Code." When used here, "CFC" means the ~~2019-2022~~ California Fire Code, with such amendments as adopted by the State of California and the ~~2018-2021~~ International Fire Code, including appendix Chapters E and F, as adopted and amended in this article.

SECTION 101.1.2 LIMITS ESTABLISHED BY LAW.

101.1.2 of the California Fire Code is added to read:

101.1.2 Limits Established by Law. The limits referred to in Sections 5704.2, 6104.2 and Chapter 56 of the California Fire Code shall mean those locations noted by fire department policy.

SECTION 101.1.3 RESPONSIBILITY FOR ENFORCEMENT.

101.1.3 of the California Fire Code is added to read:

101.1.3 Responsibility for Enforcement. Enforcement of building standards and fire protection requirements adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety, and other regulations of the State Fire Marshal, shall be the responsibility of the fire code official. This shall include R-3 occupancies, including one and two-family dwellings.

SECTION 102 APPLICABILITY

SECTION 102.3 CHANGE OF OCCUPANCY.

Section 102.3 of the California Fire Code is amended to read:

102.3 Change of Use or Occupancy. No change shall be made in the use or occupancy of any structure, which would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the California Building Code. Subject to the approval of the fire and building code officials, the use or occupancy of an existing structure shall be allowed to be changed, and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code and the California Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

SECTION 102.6 HISTORIC BUILDINGS.

Section 102.6 of the California Fire Code is amended to read:

102.6 Historic Buildings. The provisions of this Code relating to the construction, alteration, repair, enlargement, restoration, relocation, or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings and structures shall be provided ~~in accordance with Part 8 of Title 24 of the 2016 California Historic Building Code, as amended.~~ with an approved fire protection plan as required in Section 1103.1.1.

SECTION 102.13 APPLICATION OF PERFORMANCE CODE FOR BUILDINGS AND FACILITIES.

Section 102.13 of the California Fire Code is added to read:

102.13 Application of Performance Code for Buildings and Facilities. Where application is made to the fire code official for approval of alternative equivalent designs,

performance-based designs or other designs under 104.9 of the North Central Fire Protection District Fire Code, in new or existing buildings, the ~~2018-2021~~ edition of the International Code Council Performance Code for Buildings and Facilities is hereby adopted. This code shall regulate and govern the alternative equivalent design, performance-based design, other design where applicable, construction, alteration, modification, extension, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, improvement of, use or maintenance of, building and/or fire protection systems, components, equipment and materials.

SECTION 103 ~~DEPARTMENT OF FIRE PREVENTION~~ CODE COMPLIANCE AGENCY

SECTION 103.1 GENERAL.

Section 103.1 of the California Fire Code is amended to read:

103.1 General. The department of fire prevention is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration, and enforcement of the provisions of this code.

Whenever the terms "fire department", "district", "department of fire prevention," "fire prevention bureau," "fire prevention division", or "community risk reduction unit" are used in this Code or the North Central Fire Protection District Code, the terms shall mean those personnel assigned to, and engaged in, the prevention or investigation of fire on behalf of the North Central Fire Protection District.

SECTION 103.2 APPOINTMENT.

Section 103.2 of the California Fire Code is amended to read:

103.2 Appointment. The fire code official shall be appointed by the district fire chief appointing authority of the North Central Fire Protection District.

SECTION 103.3 DEPUTIES.

Section 103.3 of the California Fire Code is amended to read:

103.3 Deputies. In accordance with the prescribed procedures of the North Central Fire Protection District and with the concurrence of the appointing authority, the fire code official shall have the authority to appoint a deputy fire code official, other related technical officers, inspectors and other employees.

SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES

SECTION 104.3 RIGHT OF ENTRY.

Section 104.3 of the California Fire Code is amended to read:

104.3 Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the fire code official has reasonable cause to believe that there exists in a building or on any premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the fire code official or designee shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed on the fire code official by this code. If such building or premises is occupied, the fire code official or designee shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the fire code official or designee shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the fire code official has recourse to every remedy provided by law to secure entry.

SECTION 104.3.1 WARRANT.

Section 104.3.1 of the California Fire Code is amended to read:

104.3.1 Warrant. Where the fire code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the fire code official or designee for the purpose of inspection and examination pursuant to this code.

SECTION 104.3.2 INSPECTION FREQUENCY.

Section 104.3.2 of the California Fire Code is added to read:

104.3.2 Inspection Frequency. The fire code official shall be authorized to establish a minimum inspection frequency for all occupancy groups where not already determined by the State of California Health and Safety Code.

SECTION 104.4 IDENTIFICATION.

Section 104.4 of the California Fire Code is amended to read:

104.4 Identification. The fire code official or designee shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

SECTION ~~403.4~~104.7 LIABILITY.

Section ~~403.4~~104.7 of the California Fire Code is amended to read:

~~103.4.1~~104.7 Liability. The fire code official, the North Central Fire Protection Board of Directors, officer or employee charged with the enforcement of this code, while acting for the North Central Fire Protection District, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or the North Central Fire Protection District ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

SECTION ~~103.4.1~~104.7.1 LEGAL DEFENSE.

Section ~~103.4.1~~104.7.1 of the California Fire Code is amended to read:

~~103.4.1~~104.7.1 Legal Defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the North Central Fire Protection District until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the district of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

SECTION 105 PERMITS

SECTION 105.~~6-5~~ REQUIRED OPERATIONAL PERMITS.

Section 105.~~6-5~~ of the California Fire Code is amended to read:

105.~~6-5~~ Required Operational Permits. The fire code official is authorized to issue operational permits for the operations set forth in Section 105.56.1 through Section 105.6.2448. Required permits will be issued only for those operations where a permit fee has been established by Master Fee Schedule.

SECTION 105 ~~56.14-15~~ EXHIBITS, TRADE SHOWS AND SPECIAL EVENTS.

Section 105.~~56.14-15~~ of the California Fire Code is amended to read:

105.56.154 Exhibits, Trade Shows, and Special Events. An operational permit is required to operate exhibits, trade shows, and special events.

SECTION 105 ~~56.16-17~~ FIRE HYDRANTS.

Section 105.~~56.16-17~~ of the California Fire Code is amended to read:

105.~~56.16-17~~ Fire Hydrants. A permit is required to use fire hydrants intended for fire suppression purposes, which are installed on water systems and accessible to public roadways, alleys, or public utility easements on private property. Such permit shall be obtained from the City of Fresno Water Division, the City of Kerman Public Works, or persons responsible for providing water to such hydrants or water systems within a waterworks or community services district. Also see Sections 901.5 and 901.8.

Exception: A permit is not required for authorized employees of the water company, which supplies the system or the fire department to use or operate fire hydrants or valves.

SECTION 105.6.~~32-34~~ OPEN BURNING.

Section 105.6.~~32-34~~ of the California Fire Code is amended to read:

105.~~56.32-34~~ Open Burning. An operational permit is required for any open burning, including for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground, including recreational fires. Instructions and stipulations of the permit shall be adhered to.

An operational permit may only be issued after a permit has been obtained from the San Joaquin Valley Air Pollution Control District.

SECTION 105.66.50 EXTERIOR STORAGE.

Section 105.66.50 of the California Fire code is added to read:

105.66.50 Exterior Storage. An operational permit is required for the exterior storage of more than 4,999 square feet of tires, pallets, bin boxes, wood or plastic products, other combustible finished materials, wood chips, hogged material, fines, compost, recycled materials, industrial waste or similar products.

SECTION 105.7.16 LP-GAS.

Section 105.7.16 of the California Fire Code is amended to read:

105.7.16 LP-Gas. A construction permit is required for installation or modification of LP-Gas tanks with a capacity (single or aggregate) in excess of 500 gallons.

SECTION ~~105.7~~1056.61 REQUIRED CONSTRUCTION PERMITS.

Section ~~105.7~~1056.61 of the California Fire Code is amended to read:

~~105.7.1056.61~~ **Required Construction Permits.** The fire code official is authorized to issue construction permits for work as set forth in Section 105.67.1 through Section 105.67.4248. Required permits will be issued only for those operations where a permit fee has been established by Master Fee Schedule.

SECTION ~~105.7.11056.62.12~~ **AUTOMATIC FIRE EXTINGUISHING SYSTEMS.**

Section ~~105.7.11056.62.12~~ of the California Fire Code is amended to read:

~~105.7.11056.62.12~~ **Automatic Fire Extinguishing Systems.** A construction permit is required for installation of or modification to an automatic fire extinguishing system.

~~SECTION 105.7.16 LP-GAS.~~

~~Section 105.7.16 of the California Fire Code is amended to read:~~

~~105.7.16 LP-Gas.~~ A construction permit is required for installation or modification of LP-Gas tanks with a capacity (single or aggregate) in excess of 500 gallons.

SECTION ~~114.1107.1~~ FEES FOR FIRE INSPECTIONS

SECTION ~~114.1107.1~~ **FEES FOR FIRE INSPECTION.**

Section ~~114.1107.1~~ of the California Fire Code is added to read:

~~114.1107.1~~ **Fees for Fire Inspections.** The fire code official shall be authorized to charge a fee for fire inspections of existing buildings and properties within the North Central Fire Protection District. Fees for such services shall be in accordance with fire department policy.

SECTION ~~108-109~~ MAINTENANCE

SECTION ~~108109.6~~ **OVERCROWDING.**

Section ~~108109.6~~ of the California Fire Code is amended to read:

~~108.6109.6~~ **Overcrowding.** Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official or designee, on finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or on finding any condition that constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

SECTION 110.2 SERVICE UTILITIES

SECTION 110.2 AUTHORITY TO REQUIRE CONNECTION TO SERVICE UTILITIES.

Section 110.2 of the California Fire Code is added to read:

110.2 Authority to require connection to service utilities. The fire code official shall have the authority to require connection of utility services to the building, structure or system to a recognized service utility provider in order to ensure the safety of occupants and the preservation of the structure. Utility services may include, but are not limited to, water service, electrical service, gas service, or any other utility service. The fire code official may refuse to issue any permits until the owner of the building, structure or system provides proof of connection to the utility service.

SECTION ~~409-111~~ BOARD OF APPEALS

SECTION ~~409.2111.2~~ LIMITATIONS ON AUTHORITY.

Section ~~409.2111.2~~ of the California Fire Code is amended to read:

~~409.2111.2~~ Limitations on Authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally 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 board shall not have authority to waive requirements of this code. An economic condition shall not be considered as a basis for an appeal of the provisions of this Code.

SECTION ~~440-112~~ VIOLATIONS

SECTION ~~440112.3.1~~ SERVICE.

Section ~~440112.3.1~~ of the California Fire Code is amended to read:

~~440112.3.1~~ Service. A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition of violation either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned properties, a copy of such notice shall be sent by first class mail to the last known address of the owner, occupant, or both. The fire code official is authorized to issue an administrative citation for abatement of violations of this code in accordance with fire department policy

SECTION 440112.4 VIOLATION PENALTIES.

Section 440112.4 of the California Fire Code is amended to read:

440112.4 Violation Penalties. Persons who shall violate any provisions of said California Fire Code or these amendments, or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build 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 shall fail to comply with such an order as affirmed or modified by the Board of Directors or by a court of competent jurisdiction within the time fixed therein, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor. Upon failure to comply with a written notice of violation, the fire code official may request that the Fresno County District Attorney institute legal action. The imposition of a 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 as determined by the fire code official. For each day or portion of a day prohibited conditions are maintained shall constitute a separate offense. The application of the penalty set forth in this subsection of this section shall not be held to prevent the district from abating the conditions. The Fire Chief or designee is authorized to issue administrative citations in accordance with written procedures and Master Fee Schedule charges approved by the Board.

440112.4.1 Abatement of Violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises. Such action is subject to the cost recovery provisions of Section 409.4115.2.

SECTION 412-113 STOP WORK ORDER

SECTION 412.4113.4 FAILURE TO COMPLY.

Section 412.4113.4 of the California Fire Code is amended to read:

412.4113.4 Failure to Comply. Any persons who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to an administrative citation or other judicial or administrative action in accordance with Section 409.4115.2.

SECTION 114 UNSAFE STRUCTURES OR EQUIPMENT

SECTION 114.1 General.

Section 114.1 of the California Fire Code is amended to read:

114.1 General. If during the inspection of a premises, a structure, or any building system, in whole or in part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section, and shall refer the building to the building official for any repairs, alterations, remodeling, removing or demolition required.

SECTION 114.1.1 Unsafe Conditions.

Section 114.1.1 of the California Fire Code is amended to read:

114.1.1 Unsafe Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress, inadequate light and ventilation, or that constitute a fire hazard, are otherwise dangerous to human life or the public welfare, or involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the fire code official deems necessary and as provided for in this section. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

SECTION 114.1.2 Structural Hazards.

Section 114.1.2 of the California Fire Code is amended to read:

114.1.2 Structural Hazards. Where an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire code official shall immediately notify the building code official in accordance with Section 114.1.

SECTION 409.4115.2 COST RECOVERY.

Section 409.4115.2 of the California Fire Code is added to read:

109.4.1115.2 Cost Recovery. The fire code official or designee is authorized to recover any direct or indirect costs for fire prevention, fire suppression, hazardous material incident response, and protection of the public from fire and life safety hazards.

109.4.1115.3 Fire Prevention Cost Recovery. Any person or firm who fails to, or refuses to, correct, within the time allotted for correction, any fire hazard prohibited by code, regulation or law, for which a public agency has issued a notice of violation or correction respecting the hazard, or failure to comply with a written notice of violation is liable for the fire prevention costs, and any other costs, incurred in furtherance of the abatement of the fire hazard, and those costs shall be a charge against that person.

109.4.2115.4 Fire Suppression Cost Recovery. Any person or firm who causes a fire, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her to escape onto any public or private property, is liable for the fire suppression costs, rescue or emergency medical services costs, and any other costs incurred as a result of fighting the fire.

109.4.3115.5 Hazardous Materials Release Cost Recovery. Any person or firm who releases a hazardous material, allows a hazardous material to be released, causes, or allows a hazardous material attended by him or her to escape onto any public or private property, is liable for the hazardous material incident response, rescue or emergency medical services costs, and any other costs incurred as a result of responding to the hazardous material release.

109.4.4115.6 Protection of the Public Cost Recovery. Any person or firm who creates a fire or life safety hazard to the public, allows a fire or life safety hazard to the public, causes, or allows a fire or life safety hazard to the public to escape onto any public or private property, is liable for the fire or life safety hazard incident response, rescue or emergency medical services costs, and any other costs incurred as a result of responding to the fire or life safety hazard to the public.

109.4.5115.7 Action and Administration. Cost recovery actions and administration pursuant to this section shall be as set forth in the Master Fee Schedule and fire department policy, and shall constitute a debt of such person, and is collectable by the North Central Fire Protection District in the same manner as in the case of an obligation under a contract, express or implied.

109.4.6115.8 Other Laws. The provisions of this section shall not be deemed to nullify or prevent the application, either cumulatively, concurrently, or separately, of the provisions of the California Health and Safety Code or any other law related to liability

DEFINITIONS

SECTION 202 GENERAL DEFINITIONS

The following definitions are added to Section 202 of the California Fire Code to read:

FIRE DEPARTMENT BYPASS KEY. An approved key used by authorized emergency services personnel to bypass secured access locations.

FIRE MARSHAL. A chief fire officer of the fire department or a duly authorized representative, who is charged with either the prevention or investigation of fires.

RECYLCING AND INDUSTRIAL WASTE. Any material which has been recycled, including post-consumer or industrial waste, wood by-products or other similar products.

RECYLCING AND INDUSTRIAL WASTE HANDLING FACILITY. Any site that stores, manufactures, processes or handles wood by-products, recycled materials, including post-consumer waste, industrial waste, or other similar materials.

GENERAL REQUIREMENTS

SECTION 304 COMBUSTIBLE WASTE MATERIAL

SECTION 304.4 RECYCLING AND INDUSTRIAL WASTE HANDLING FACILITIES.

Section 304.4 of the California Fire Code is added to read:

304.4 Recycling and Industrial Waste Handling Facilities. See Chapter 28 of the CFC and this ordinance for specific requirements related to recycling and industrial waste handling facilities. Recycling and industrial waste handling facilities shall also be in accordance with applicable fire department policies.

SECTION 304.5 DUMPING OF COMBUSTIBLE WASTE MATERIAL.

Section 304.5 of the California Fire Code is added to read:

304.5 Dumping of Combustible Waste Material. No owner or occupant of any Lot, site or premises shall maintain thereon any rubbish or waste material likely to become easily ignited, and, provided further, no person shall place, deposit, or leave any piles of dirt, metallic cans, combustible waste, or rubbish on any property not owned or controlled by such person or persons.

SECTION 304.6 REMOVAL OF DEBRIS.

Section 304.6 of the California Fire Code is added to read:

304.6 Removal of Debris. Any person having in their possession or under their control, upon any premises, any kind of materials, which have been rendered useless or unmerchandisable by reasons of any fire on the premises, or any other debris resulting from such fire, must commence to remove the same from the premises within twenty-four (24) hours after notice to do so from the fire department, and must thereupon proceed with and diligently carry on the work of such removal until the same has been completed.

SECTION 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES

SECTION 307.1.1 PROHIBITED OPEN BURNING.

Section 307.1.1 of the California Fire Code is amended to read:

307.1.1 Prohibited Open Burning. Notwithstanding other provision in Section 307, open burning is prohibited as follows:

1. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.
2. Open burning in violation of the rules or regulations promulgated by the San Joaquin Valley Air Pollution Control District.
3. The fire code official is authorized to order, or effect the immediate extinguishment, of any open burning when in the opinion of the fire code official is reasonably necessary for safety and protection of life and health, and may issue administrative citations and seek to recover costs in accordance with Sections 409.4115.2 (Cost Recovery) of this Code.

SECTION 312 VEHICLE IMPACT PROTECTION

SECTION 312.1 GENERAL.

Section 312.1 of the California Fire Code is amended to read:

312.1 General. Vehicle impact protection required by this Code shall be provided by posts that comply with Section 312.2 of the CFC or by other approved physical barriers that comply with 312.3 of the CFC.

Exception: Fire hydrants and fire sprinkler risers may be protected in accordance with fire district policies (Fire hydrant installation with protector posts) as incorporated here by reference.

SECTION 315.4.3. ADDITIONAL REQUIREMENTS FOR OUTSIDE STORAGE.

Section 315.4.3 of the California Fire Code is added to read:

315.4.3. **Additional Requirements for Outside Storage.** Outside storage of tires shall be in accordance with Chapter 34 of the CFC. Outside storage of recycled materials, industrial waste, idle pallets, plastic or wooden finished products, baled material, or other similar products shall be in accordance with Chapter 28 of the CFC and fire district policy. Outdoor storage at sites that store, manufacture, process or handle wood by-products, recycled materials, industrial waste, and other similar materials shall be in accordance with Chapter 28 of the CFC. An approved water supply, including on site storage, for firefighting purposes shall be provided in accordance with Section 507 of the CFC

FIRE SERVICE FEATURES

SECTION 503 FIRE APPARATUS ACCESS ROADS

SECTION 503.5 REQUIRED GATES OR BARRICADES.

Section 503.5 of the California Fire Code amended to read:

503.5 Required Gates or Barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. Entrances to roads, trails or other access ways which have been closed with gates and barriers shall not be obstructed by parked vehicles. Any vehicle parking in violation of this section shall be subject to being towed away and stored. The registered owner of any vehicle parked in violation of this section shall be responsible for all expenses incurred in connection with the towing and storage of such vehicle.

SECTION 506 LOCKED PREMISES ACCESS.

Section 506 of the California Fire Code is renamed and amended to read:

506.1 Where Required. Where access to, or within a structure or an area is restricted because of secured openings, the fire code official is authorized to require key boxes to be installed in approved locations. Installation requirements and key box contents shall be in accordance with fire department policy.

506.1.1 Locks. An approved lock or remote opening device shall be installed on gates or similar barriers when required by the fire code official in accordance with fire department policy.

506.1.1.1 Unauthorized Possession of Fire Department Bypass Key. It shall be unlawful for any person other than those authorized by the fire code official to possess a fire department bypass key.

506.1.1.2 Unauthorized Duplication of Fire Department Bypass Key. No person shall duplicate a fire department bypass key unless approved by the fire code official.

506.1.1.3 Penalties. Any person who shall violate either section 506.1.1.1 or 506.1.1.2 shall be guilty of a misdemeanor. Prosecution of such violations shall be in accordance with the California Penal Code.

506.2 Key Box Maintenance. The operator of the building or premises shall immediately notify the fire code official and provide the new key when a lock is changed or re-keyed. The key to such lock shall be secured in the key box.

SECTION 507 FIRE PROTECTION WATER SUPPLIES

SECTION 507.3 FIRE FLOW.

Section 507.3 of the California Fire Code is amended to read:

507.3 Fire Flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or Appendix B. Fire flow requirements for buildings or portions of buildings and facilities shall be in accordance with fire department policy, approved by the North Central Fire Protection District Board of Directors.

INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS

**SECTION 807 DECORATIVE MATERIALS AND ARTIFICIAL DECORATIVE
VEGETATION IN NEW AND EXISTING BUILDINGS**

SECTION 807.5.1.3 WOOD USE IN GROUP A-3 PLACES OF RELIGIOUS WORSHIP.

Section 807.5.1.3 of the California Fire Code is amended to read:

807.5.1.3 Wood use in Group A-3 Places of Religious Worship. In new and existing places of religious worship, wood used for ornamental purposes, trusses, paneling or chancel furnishing shall be allowed where such material meets the flame spread requirements found in Table 803.3.

FIRE PROTECTION AND LIFE SAFETY SYSTEMS

SECTION 901 GENERAL

SECTION 901.4.5 ADDITIONAL FIRE PROTECTION SYSTEM.

Section 901.4.5 of the California Fire Code is added to read:

901.4.5 Additional Fire Protection Systems. In any occupancies of a hazardous nature, where special hazards exist in addition to the normal hazards of the occupancy, or where the fire code official determines that access for fire apparatus is unduly difficult, the fire code official shall have the authority to require additional fire protection systems, equipment or a combination thereof. Such systems include, but shall not be limited to, the following: automatic fire detection systems, fire alarm systems, automatic fire extinguishing systems, standpipe systems, or portable or fixed extinguishers. Any additional fire protection systems or equipment required under this section shall be installed in accordance with this Code, the applicable referenced standards, fire district policy and be considered a required system in accordance with Section 901.4.1.

SECTION 901.6.3.2 PROBLEMATIC SYSTEMS.

Section 901.6.3.2 of the California Fire Code is added to read:

901.6.3.2 Problematic Systems. In the event of multiple fire alarm, fire detection, or fire sprinkler monitoring system activations, the fire code official is authorized to charge the property owner for the direct and indirect costs of each emergency response. After responding to two (2) false alarm at the same facility in any calendar year from July 1 through June 30th, the cost of each response will be billed at the base rate established in the Master Fee Schedule or actual time spent on the response, whichever is greater.

Action and administration to recover these costs shall be in accordance with Section 4 09.4.115.2

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

SECTION 903.1 GENERAL.

Section 903.1 of the California Fire Code is amended to add the following sub-sections:

903.1.2 Determination of Building Area. For purposes of determining building area for automatic fire sprinkler system requirements, the following criteria shall be used:

1. Fire walls, fire barriers, fire partitions, or horizontal fire assemblies as defined in this Code shall not be considered to create separate buildings or fire areas for determining automatic fire sprinkler requirements.

Exceptions:

(a) Party walls located on a lot line between two buildings in accordance with California Building Code, Section 706.

(b) Fire walls without openings installed in accordance with California Building Code, Section 706 and with specific fire wall requirements in Section 903.2 of this Code based on occupancy.

2. Determination of building area for combustible construction shall be measured to the building perimeter roof drip line, including any architectural features, such as, but not limited to, mansards, towers, porte cocheres, etc., with the exception of 44" maximum depth roof eaves. For non-combustible construction, building area shall include all perimeter roof areas exceeding 44" that are required by the currently adopted edition of NFPA 13 to have fire sprinkler protection under the projection. The area of open shafts or courts need not be included in calculating floor area. When multiple buildings are considered as one building per California Building Code Section 705.3, the combined floor areas shall be used to determine the automatic fire sprinkler requirements.

SECTION 903.3.1 STANDARDS.

Section 903.3.1 of the California Fire Code is amended to read:

903.3.1 Standards. Sprinkler systems shall be designed in accordance with Sections 903.3.1.1, 903.3.1.2, and 903.3.1.3. Automatic fire sprinklers or fire sprinkler systems not required by the California Fire or Building Codes may be of any type approved by the fire code official.

903.3.1.1.3. Group R Mixed Occupancy Buildings. Mixed occupancy buildings containing Group R occupancies shall be provided with automatic sprinkler systems in accordance with Section 903.3.1.1 (NFPA 13). The R-2 or R-3 residential portion of a mixed occupancy building shall be provided with fire sprinkler piping and control valves arranged so that the automatic sprinkler system can remain in service independent of non-residential occupancies.

Exceptions:

1. Mixed occupancy buildings where a vertical fire barrier with no openings is provided in accordance with California Building Code, Section 707 separating the R occupancy from other uses may have automatic fire sprinkler systems installed in the residential portion in accordance with Sections 903.3.1.2 (NFPA 13R) or 903.3.1.3 (NFPA 13D) as applicable. Separate control valves shall be installed as indicated above unless otherwise approved by the fire code official.
2. Group R-1 or R-2 occupancies with accessory occupancy groups that do not require installation of fire sprinklers by Section 903.2.

903.3.1.1.4. Joint Live/Work Units Quarters. Where joint live/work residential dwelling units are constructed in accordance with California Fire Code, Chapter 9-1-1, Article 7 Section 903, automatic sprinkler systems shall be designed in accordance with Section 903.3.1.1 (NFPA 13).

SECTION 903.4.3. FLOOR CONTROL VALVES.

Section 903.4.3 of the California Fire Code is amended to read:

903.4.3. Floor Control Valves. Approved supervised indicating control valves and water flow switches shall be provided at the point of connection to the riser on each floor in buildings with three or more levels or where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access. The building fire alarm, dedicated function fire alarm system or remote annunciator panel shall be provided at an approved location, readily accessible to the fire department and shall indicate the floor of activation of these devices.

Exception: NFPA 13R and 13D systems.

SECTION 903.6. WHERE REQUIRED IN EXISTING BUILDINGS AND STRUCTURES

Section 903.6 of the California Fire Code is amended to read:

903.6 Where rRequired in Eexisting Buildings and Structures. An approved automatic fire extinguishing system shall be provided in existing buildings and structures,

including R3 occupancies, in those circumstances described in this Section and where required in Chapter 1.1. Installation requirements shall be as set forth for new buildings by Sections 903.2 through 903.2.12 and, where applicable, the California Residential Code.

1. **Building Additions.** When additions exceed 25% of the existing building square footage and the total proposed building area is 7,500 square feet or larger, an approved automatic fire extinguishing system shall be installed throughout the building. The 25% threshold shall be cumulative over the life of the building. Exception: Building additions of entirely non-combustible construction and noncombustible uses such as covered pedestrian walkways.

2. **Change of Occupancy.** In existing buildings 7,500 square feet or larger, when a Change of Occupancy, in accordance with the California Building Code, is made and the proposed new occupancy is more hazardous to life and safety than the existing occupancy, an approved automatic fire extinguishing system shall be installed throughout the building. The determination of a more hazardous use or occupancy shall be made in accordance with fire department policy. See policy 402.005.

Exceptions:

(a) If the area in which the Change of Occupancy occurs is less than 25 percent of the actual floor area of the existing building and the area of the new occupancy is 7,499 square feet or less and an automatic fire extinguishing system is not required based on occupancy by Section 903, an automatic fire sprinkler or extinguishing system is not required for any portion of the building. The 25% limit is cumulative over the life of the building.

(b) If the area in which the Change of Occupancy occurs exceeds 25% but is less than 50% of the actual floor area of the existing building, only that portion of the building changing occupancy is required to have an approved automatic fire extinguishing system installed. An approved fire separation shall be required between portions of the building with an automatic fire extinguishing system and those portions without.

(c) If individual or cumulative Changes of Occupancy exceed 50% of the overall floor area of the existing building, then the entire building shall have an approved automatic fire extinguishing system installed throughout.

3. **Fire Damage Repairs.** An approved automatic fire sprinkler system shall be installed as a condition of a fire damage repair building permit as follows:

(a) When a fire occurs in any existing occupancy, including R-3 occupancies, and the building permit repair costs exceed 50% of the current building valuation, an automatic fire extinguishing system shall be installed throughout the building as required for a new building in Section 903 or R313.

(b) Fire damage repair costs and building valuation shall be determined by the Building Official of Fresno County or City of Kerman based on the current ICC Building Valuation Tables in use by the respective department at the time of the issuance of the fire damage repair permit.

4. R-2 Condominium Conversions. Existing R-1 or R-2 buildings proposed for conversion to condominiums shall have an approved automatic fire extinguishing system installed throughout as a condition of approval.

5. A-1 and A-2 Occupancies. In existing A-1 and A-2 occupancies an approved automatic fire extinguishing system shall be installed throughout the entire building as a condition of any building permit where the permit cost is one-thousand (\$1,000) or more.

Exception: Building permits issued exclusively for mechanical systems, plumbing systems, electrical systems and re-roofing only.

SECTION 912 FIRE DEPARTMENT CONNECTIONS

SECTION 912.2.3 ADDRESS IDENTIFICATION.

Section 912.2.3 of the California Fire Code is added to read:

912.2.3 Address Identification. For new and existing buildings, the fire code official is authorized to require approved address or building area identification signage as needed to readily determine the building or area of a building protected by fire department connections.

MEANS OF EGRESS

SECTION 1025 LUMINOUS EGRESS PATH MARKINGS

SECTION 1025.1. GENERAL.

Section 1025.1 of the California Fire Code is amended to read:

1025.1 General. Approved luminous egress path markings delineating the exit path shall be provided in all new buildings three or more stories above grade or below grade in accordance with Sections 1025.1 through 1025.5.

1. Luminous egress path markings shall not be required on the level of exit discharge in lobbies that serve as part of the exit path in accordance with Section 1028.1.

2. Luminous egress path markings shall not be required in open parking garages that serve as part of the exit path in accordance with Section 1028.1.

3. R-3 occupancies.

1025.1.1. Maintenance. Luminous egress path markings required in this section shall be maintained in accordance with Sections 1025.1 through 1025.5 and fire department policy as applicable.

CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

SECTION 1104.7.1. DOOR SWING.

Section 1104.7.1 of the California Fire Code is added to read:

1104.7.1. Door Swing. When, in the opinion of the fire code official, it is essential for public safety in any existing building or occupancy, because of the number of persons served, or the nature of the operation, an owner, agent or lessee shall install doors that swing in the direction of egress travel, as required and approved when such places are open to the public, or when such operation is being conducted.

SECTION 1104.7.2. DOOR HARDWARE.

Section 1104.7.2 of the California Fire Code is added to read:

1104.7.2. Door Hardware. When, in the opinion of the fire code official, it is essential for public safety in any existing building or occupancy, because of the number of persons served, or the nature of the operation, an owner, agent or lessee shall provide and maintain panic or fire exit hardware, as required and approved when such places are open to the public, or when such operation is being conducted.

MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES

SECTION 2306.2.3. ABOVE-GROUND TANKS LOCATED OUTSIDE OF BUILDINGS, ABOVE GRADE.

Section 2306.2.3 of the California Fire Code is amended to read.

1. Above-ground tanks used for outside above grade storage of Class I and II liquids shall be listed and labeled as protected above-ground tanks in accordance with Chapter 57. Such tanks shall be located in accordance with Table 2306.2.3.

2. Above-ground tanks used for above grade storage of Class III-A liquids are allowed to be protected above-ground tanks, or when approved by the fire code official, other above-ground tanks that comply with Chapter 57. Tank locations shall be in accordance with Table 2306.2.3.
- 2.3. Tanks containing fuels shall not exceed 12,000 gallons (45 420 L) in individual capacity or 48,000 gallons (181 680 L) in aggregate capacity. Installations with the maximum allowable aggregate capacity shall be separated from other such installations by not less than 100 feet (30 480 mm).
4. Tanks located at tank farms, construction projects, or rural areas shall comply with Section 5706.2 (et. al.)

FLAMMABLE FINISHES

SECTION 2401 GENERAL

SECTION 2401.1.2 LOCATION.

Section 2401.1.2 of the California Fire Code is added to read:

2401.1.2 Location. Locations or areas used for any of the operations noted in Section 2401.1 shall be located in accordance with the respective regulating agencies or departments and fire district ~~department~~ policy.

~~LUMBER YARDS AND ARGO-INDUSTRIAL, SOLID BIOMASS AND WOODWORKING FACILITIES~~

SECTION ~~2811-2810~~ RECYCLING AND WASTE HANDLING FACILITIES

SECTION ~~2811.12810.1~~ SCOPE.

Section ~~2811.12810.1~~ of the California Fire Code is added to read:

~~2811.12810.1~~ Scope. The storage, manufacturing, processing or handling of wood byproducts, recycled materials, industrial waste, and other similar materials not otherwise regulated by this code shall be in accordance with this section and fire department policy. The title of this Section shall be "RECYCLING AND WASTE HANDLING FACILITIES."

SECTION 2810.2. STORAGE SITE

Section 2810.2 of the California Fire Code is added to read:

2810.2 Storage Site. Storage, manufacturing, processing or handling sites shall be level and on solid ground, elevated soil lifts or other all-weather surface. Sites shall be thoroughly cleaned before transferring regulated products to the site.

SECTION 2810.5 SECURITY

Section 2810.5 of the California Fire Code is added to read:

2810.5 Security. Site pile areas shall be surrounded with an approved fence. Fences shall be not less than 6 feet (1829 mm) in height.

SECTION 2810.6. PILE SEPARATION

Section 2810.6 of the California Fire Code is added to read:

2810.6 Pile Separation. Piles shall be separated from adjacent piles or other exposures (including but not limited to, property lines, other storage, and buildings) by means of fire district access roads.

SECTION 2810.7. CLEARANCE TO IMPORTANT BUILDINGS

Section 2810.7 of the California Fire Code is amended to read.

2810.7 Clearance to Important Buildings. Stacks of pallets shall not be stored within 0.75 times the stack height of any important building on site or shall comply with Section 2810.11.

SECTION 2810.9 PILE FIRE PROTECTION WATER SUPPLY

Section 2810.9 of the California Fire Code is added to read:

2810.9 Pile Fire Protection Water Supply. An approved water supply, including on site storage, for firefighting purposes shall be provided in accordance with Section 507.

SECTION 2810.10 FIRE EXTINGUISHERS

Section 2810.10 of the California Fire Code is added to read.

2810.10 Fire extinguishers. Portable fire extinguishers complying with Section 906 and with a minimum rating of 4-A60-B:C shall be provided on all vehicles and equipment operating on piles and at all processing equipment.

SECTION 2810.12. SIZE OF PILES.

Section 2810.12 of the California Fire Code is added to read.

2810.12. Size of Piles. Piles shall not exceed 20 feet (6.1 m) in height, 50 feet (15.2 m) in width and 250 feet (76.2 m) in length. Piles shall be separated from adjacent piles or

other exposures (including, but not limited to, property lines, other storage, and buildings) by means of fire district access roadways. A 120 foot (36.6 m) by 90 foot (27.5 m) area shall be maintained available for use by the fire district for interim storage of pile breakdown material during fire suppression activities.

Exception: The fire code official is authorized to allow the pile size to be increased where a fire protection plan has been approved and additional fire protection is provided in accordance with Chapter 9. The increase shall be based on the capabilities of the system installed and the features of the system.

The fire protection plan shall include, but is not limited to, the following:

1. Storage yard areas and materials-handling equipment selection, design and arrangement shall be based upon sound fire prevention and protection principles.
2. Factors that lead to spontaneous heating shall be identified in the plan, and control of the various factors shall be identified and implemented, including provisions for monitoring the internal condition of the pile.
3. The plan shall include means for early fire detection and reporting to the public fire district; and facilities needed by the fire district for fire extinguishment including a water supply, on site water storage and fire hydrants.
4. Fire apparatus access roads around the piles and access roads to the top of the piles shall be established, identified and maintained.

Regular yard inspections by trained personnel shall be included as part of an effective fire prevention maintenance program.

Additional fire protection called for in the plan shall be provided and shall be installed in accordance with this code.

SECTION 2810.13 EXTERIOR STORAGE OF RECYCLED MATERIALS, INDUSTRIAL WASTE, AND IDLE PALLETS.

2810.13 Exterior Storage of Recycled Materials, Industrial Waste and Idle Pallets. For exterior storage of recycled material, industrial waste and idle pallets, see Section 315.4.3 and fire district policy.

EXPLOSIVES AND FIREWORKS

SECTION 5602 FIREWORKS ORDINANCE.

Section 5602 of the California Fire Code is amended to read:

5602.1 Fireworks Ordinance. This Section shall be known and cited as the "Fireworks Ordinance." When used, "this Section" means the Fireworks Ordinance.

5602.1.1 Definitions. The following terms are defined in Charter 2.

5602.2 Findings and Intent.

- (a) This Section governs the imposition, enforcement, collection and administrative review of all administrative fines related to: the possession, use, storage, sale and/or display of those fireworks classified as dangerous fireworks in California Health and Safety Code, Section 12505 et seq. or the possession, use, storage, sale and/or display of Safe and Sane fireworks on or at dates, times, and/or locations other than those permitted by this Section. The administrative fines are imposed under authority of Government Code, Section 53069.4; Health and Safety Code, Section 12557; and, the police power of the North Central Fire Protection District.
- (b) The issuance of an administrative citation to any person or property owner constitutes but one remedy of the District to redress violations of this Section. By adopting this Section, the District does not intend to limit its authority to employ any other remedy, civil or criminal, to redress any violation of this Section which the District may otherwise pursue.
- (c) The imposition of administrative fines under this Section shall be limited to persons who possess, use, sell and/or display, or the seizure of 25 pounds or less of dangerous fireworks or persons who possess, use, sell and/or display Safe and Sane fireworks on or at the dates, times, and/ or locations other than those permitted by this Section.
- (d) Administrative fines collected pursuant to this Section shall not be subject to Health and Safety Code, Section 12706. The administrative fines collected shall be allocated in compliance with Health and Safety Code, Section 12557, which requires the District to provide cost reimbursement to the California State Fire Marshal for reimbursement of costs, including, but not limited to transportation, and disposal. Regulations are to be adopted by the California State Fire Marshal setting forth this allocation. Unless and until such regulations have been adopted by the State of California, the District shall hold in trust a \$250.00 fee in addition to any fine collected to cover the reimbursement to the California State Fire Marshal for the cost of transportation and disposal of the dangerous fireworks. This fee is non-refundable.

(e) Due to the serious threat of fire or injury posed by the use of dangerous fireworks or Safe and Sane fireworks on or at dates, times, and/or locations other than those permitted by this Section, this Section imposes strict civil liability upon the owners of commercial or residential real property for all violations of this Section existing on that property. Each contiguous use, display, and/or possession shall constitute a separate violation and shall be subject to a separate administrative fine.

(f) The fire code official or designee may seek cost recovery for any costs imposed on the District or Fire Department due to negligence, an intentional wrongful act, an unintentional wrongful act, carelessness, or malice as set forth in Section ~~409.4~~115.2 of this Code, and the Master Fee Schedule.

(g) This section shall not apply to the public display of fireworks in accordance with Section 5608.

(h) This section shall not apply to the storage and handling of Safe and Sane fireworks in accordance with the California Building Code for Class 1.4G fireworks

5602.3 Definitions

(a) "Dangerous fireworks" shall include any items or materials listed as such in California Health and Safety Code, Section 12505.

(b) "Eligible organizations" means an organization or corporation, which has met all of the following criteria continuously for a minimum of one year preceding the filing of the application for a permit to display for sale or sell Safe and Sane fireworks.

(i) The organization and/or corporation must be a duly organized non-profit and tax-exempt charitable, religious, civic, patriotic, or community service organization or corporation with a current and valid title 26 U.S.C Section 501 (c) tax exemption from the Internal Revenue Service.

(ii) The organization must be headquartered within and clearly affiliated or identified with the North Central Fire Protection District.

(iii) The organization must be one which provides direct and regular community services and benefits to the citizens of the North Central Fire Protection District.

(iv) The organization must hold its regularly scheduled meetings within the North Central Fire Protection District.

(c) "Exempt fireworks" means any special item containing pyrotechnic compositions which the California State Fire Marshal, with the advice of the State Fire Advisory Board, has investigated and determined to be limited to industrial, commercial, and agricultural

use, or religious ceremonies when authorized by a permit granted by the authority having jurisdiction.

(d) "Fireworks" means any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are useful as pyrotechnic devices or for entertainment. These items include, but are not limited to:

- (i) Devices designated by the manufacturer as fireworks.
- (ii) Torpedoes, skyrockets, roman candles, rockets, Daygo bombs, sparklers, party poppers, paper caps, chasers, fountains, smoke sparks, aerial bombs, and fireworks kits.

(e) "Safe and Sane fireworks" means any fireworks which do not come within the definition of "dangerous fireworks" or "exempt fireworks." All Safe and Sane fireworks shall be labeled with the Safe and Sane fireworks seal as authorized by the California State Fire Marshal.

5602.4 General Prohibition Against Possession, Sale, Use and/or Display of Fireworks.

Except as otherwise provided in this Section, no person shall possess, sell, use, display, explode or discharge any fireworks within the North Central Fire Protection District.

5602.5 Safe and Sane Fireworks: Exceptions.

- (a) The sale and/or display of Safe and Sane Fireworks shall be permitted only during that period beginning at noon on June 28 and ending at noon on July 6 of the same year.
- (b) Safe and Sane fireworks shall not be sold to any person under the age of sixteen (16).
- (c) The use and discharge of Safe and Sane fireworks within the North Central Fire Protection District is permitted 365 days a year, between the hours of 7:00 a.m. and 10:00 p.m., except for the period of June 28 to July 6 when use and discharge will be allowed between the hours of 7:00 a.m. and 12:00 a.m.

5602.6 Safe and Sane Fireworks Permits. Permits Required:

- (a) It is unlawful for any person to sell Safe and Sane fireworks within the North Central Fire Protection District without a permit issued by the fire code official or designee.
- (b) The fire code official is authorized to promulgate administrative rules and procedures necessary for the successful and effective implementation of this Section

including rules and procedures governing the submission of applications for permits to sell Safe and Sane fireworks, inspections of fireworks stands, operation of fireworks stands, and such regulations relating to the sale of Safe and Sane fireworks as may be necessary for the protection of life and property.

(b) The fire code official or designee shall be responsible for reviewing applications for permits to sell Safe and Sane fireworks.

5602.7 Safe and Sane Fireworks. Applications:

(a) All organizations or corporations interested in obtaining a permit to sell Safe and Sane fireworks shall submit an application to the fire department on forms provided by the fire department. There is a non-refundable application fee established by ordinance of the Board of Directors and set forth in the Master Fee Schedule. This application fee shall be in addition to any fee or tax imposed by any other chapter or article of the North Central Fire Protection District Fire Code.

(b) The fire code official or designee shall designate the time period when applications will be accepted.

(c) No organization shall submit more than one application. Submittal of more than one application shall be grounds for denial of all applications submitted by that organization.

(d) There shall be allowed a maximum of thirty-one (31) fireworks stands in the North Central Fire Protection District. Stands which meet the requirement of this code will be allowed to remain until they relinquish their position. Any of the non-profit organizations which operated in accordance with previous District policy as of December 31, 2007, will retain their position until they relinquish it.

(e) If there are less than thirty-one (31) eligible stands, then a lottery shall take place at a time and location determined by the fire code official or designee, with all eligible organizations on the waiting list to fill empty positions.

(f) Each new participant, as well as the previously permitted participants, shall submit additional information as required by the fire department which shall be reviewed prior to issuance of any permits to sell Safe and Sane fireworks for the upcoming fireworks season

5602.8 Safe and Sane Fireworks. Issuance of Permits:

(a) No permit to sell Safe and Sane fireworks shall be issued to any organization except non-profit and tax-exempt organizations or corporations organized primarily for charitable, religious, civic, patriotic, or community service as defined in Section 5602.3(b).

(b) Upon notification that the organization has been selected by lottery to participate in the upcoming fireworks season, each organization shall provide additional information as required by the fire department including, but not limited to:

(i) A non-refundable fee established by ordinance of the North Central Fire Protection District and set forth in the Master Fee Schedule. This fee shall be in addition to any fee or tax imposed by any other chapter or article of the North Central Fire Protection District ordinance adopting the ~~2019~~2022 California Fire Code.

(ii) An executed Indemnification and Hold Harmless Agreement as required by the North Central Fire Protection District Attorney or designee.

(iii) Throughout the life of the permit, the applicant shall pay for and maintain in full force and effect policies of insurance as required by the North Central Fire Protection District Attorney or designee. The policies of insurance shall name the North Central Fire Protection District, its officers, officials, agents, employees and authorized volunteers as additional insured. The applicant shall submit proof of insurance in a manner authorized by the North Central Fire Protection District Attorney or designee.

(iv) Other information as may be required by the fire department or North Central Fire Protection District, pursuant to administrative rules and procedures promulgated by the fire code official pursuant to Section ~~56~~502.6(b).

(c) Permits shall be issued upon review of all information submitted by the organization and inspection and approval of the organization's temporary fireworks stand.

5602.9 Safe and Sane Fireworks. Operator Safety Seminar:

Each year, one or more representatives from each organization that is granted a permit to sell or display fireworks shall attend a stand operator safety seminar conducted by the North Central Fire Protection District or the fireworks industry. Failure of an organization to have a responsible individual attend the seminar shall result in the revocation of the permit.

5602.10 Revocation of Permits. The fire code official or designee may revoke the permit of any organization that violates the provisions of this Section or any rules or regulations promulgated pursuant to Section 5602.6(b). Notice of revocation shall be made in writing by the fire department to the organization. The fire code official or his designee may reinstate a permit upon proof that the permit holder is in compliance with all provisions and rules pertaining to this Section.

5602.1.1 Administrative Fines. In addition to any other remedy available at law, any person or entity who possesses, uses, stores, sells and/or displays dangerous fireworks

or any person or entity who possesses, uses, sells and/or displays Safe and Sane fireworks on or at dates, times, or locations other than those permitted by this Section are subject to an administrative fine of not less than one-thousand dollars (\$1,000.00).

5602.12 Seizure of Fireworks. The fire code official or designee shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale, stored or held in violation of this Section. Such seizure shall be subject to cost recovery in accordance with Section ~~409.51~~115.2.

5602.13 Appeals.

(a) Any administrative citation issued for failure to comply with the provisions of this Section can be appealed to the North Central Fire Protection District Board of Directors by submitting a written request for an appeal hearing within 10 days from the date of the citation. Appeals shall be mailed to "Attention: Fire Chief, North Central Fire Protection District 15850 W. Kearney Blvd., Kerman, California 93630". If no appeal is filed within the time prescribed, the action of the fire code official or designee shall be final.

(b) The denial of an application for a fireworks permit shall be appealed pursuant to 5602.13(a). If no appeal is filed within the time prescribed, the action of the fire code official or designee shall be final.

(c) A minor and the parent(s) or guardian(s) having custody and control of said minor, are jointly and severally liable to the North Central Fire Protection District for any administrative citation and/or penalty issued for failure to comply with the provisions of this Section.

(d) The administrative citation penalty may become a special assessment or a lien against the property of any person who is issued a citation for violation of the provisions of this Section. This shall include the property of a minor who is issued a citation and/or the property of the parent(s) or guardian(s) having custody and control of the minor or private property owner that allows the illegal use or storage on their property.

SECTION 5604 PROHIBITION OF EXPLOSIVES.

Section 5604.1 of the California Fire Code is amended to read:

5604.1 Prohibition of Explosives. The possession, storage, use and handling of explosives are prohibited within the limits established by law.

Exception: Storage and sale of small arms ammunition, small arms primers, smokeless powder and black sporting powder in accordance with Title 19, Chapter 10, Article 12 of the California Code of Regulations and Section 307 of the California Building Code.

FLAMMABLE AND COMBUSTIBLE LIQUIDS

SECTION 5704 STORAGE

SECTION 5704.3.5.1 BASEMENT STORAGE.

Section 5704.3.5.1 of the California Fire Code is amended to read:

5704.3.5.1 Basement Storage. Class I liquids shall not be stored in basements. Class II and IIIA liquids shall be allowed to be stored in basements, provided that automatic fire suppression and other fire protection are provided in accordance with Chapter 9.

SECTION 5706.2.4. PERMANENT AND TEMPORARY TANKS

Section 5706.2.4 of the California Fire Code is amended to read:

5706.2.4 Permanent and Temporary Tanks. The aggregate capacity of permanent and temporary above-ground tanks containing Class I and II liquids shall not exceed 1,100 gallons (4163.9L). Tanks shall be constructed in accordance with Section 5704.2 (et. al.). Exception: Protected above-ground tanks meeting the requirements of Section 2306.2.3.

SECTION 5706.2.4.4 LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED.

Section 5706.2.4.4 of the California Fire Code is amended to read:

5706.2.4.4 Locations Where Above-Ground Tanks Are Prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by law as the limits of districts in which such storage is prohibited North Central Fire Protection District.

APPENDIX B

FIRE-FLOW REQUIREMENTS FOR BUILDINGS

SECTION B103.4 ADDITIONAL MODIFICATIONS.

Section B103.4 of the California Fire Code is amended to read:

B103.4 Additional Modifications. The fire chief is authorized to make additional modifications to fire-flow requirements for any building, or group of buildings, provided the

modifications meet the intent of this code and are supported by the water system capability of the water purveyor. This section does not permit, and shall not be used for, waiving provisions of this code for required fire flow.

APPENDIX C

FIRE HYDRANT LOCATIONS AND DISTRIBUTION

SECTION C103.4 ADDITIONAL MODIFICATIONS.

Section C103.4 of the California Fire Code is amended to read:

C103.4 Additional Modifications. The Fire Chief is authorized to make additional modifications to the number of fire hydrants, fire hydrant spacing and fire hydrant location requirements, provided the modifications meet the intent of this code and are supported by the water distribution system. This section does not permit, and shall not be used for, waiving provisions of this code related to the number of fire hydrants, or fire hydrant spacing and location requirements.

SECTION 8-103 HISTORIC BUILDINGS.

Section 8-103.3 of the California Historical Building Code (CHBC) is amended to read:

8-103.3 Liability. Prevailing law regarding immunity of building and fire officials is unaffected by the use and enforcement of the CHBC.

8-104.4 Local Agency Fees. The North Central Fire Protection District and any local agencies, when involved in the appeal, may also charge affected persons reasonable fees not to exceed the cost of obtaining reviews and appeals from the Board.

8-302.1 Existing use. The specific use or character of occupancy of a qualified historical building or property, or portion thereof, may be permitted to continue in use regardless of any period of time in which it may have remained unoccupied or in other uses, provided such building or property otherwise conforms to all applicable requirements of the CHBC.

8-302.2 Change in occupancy. The use or character of the occupancy of a qualified historical building or property may be changed from or returned to its historical use or character, provided the qualified historical building or property conforms to the requirements applicable to the new use or character of occupancy as set forth in the CHBC and North Central Fire Protection District Fire Code ~~sections~~ Sections 903.1 through 903.3.5.1.2. Such change in occupancy shall not mandate conformance with new construction requirements as set forth in regular code.

LIQUIFIED PETROLEUM GASES

SECTION 6101 GENERAL

SECTION 6101.3 CONSTRUCTION DOCUMENTS.

Section 6101.3 of the California Fire Code is amended to read:

6101.3 Construction Documents. Where a single container or aggregate of containers is more than 500 gallons in water capacity, the installer shall submit construction documents for such installation.

If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The North Central Fire Protection District hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, regardless if any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

This ordinance shall be in full force and effect after its adoption by the North Central Fire Protection Board of Directors and ratification by the City of Kerman City Council and the County of Fresno Board of Supervisors.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the North Central Fire Protection District on this 26th day of January, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

APPROVED:

Board Chairperson

ATTEST:

Board Secretary

CERTIFICATE

STATE OF CALIFORNIA)

COUNTY OF FRESNO) SS.

CITY OF KERMAN)

I, _____, Board Secretary of the North Central Fire Protection District, do certify that the foregoing Ordinance of the Board of Directors of the North Central Fire Protection District was duly passed and adopted at a regular meeting of the Board of Directors on January 26, 2023.

DATED: January 26, 2023

Board Secretary

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING THE 2022 CALIFORNIA FIRE CODE AND THE 2021 INTERNATIONAL FIRE CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE, HAZARDOUS MATERIALS, OR EXPLOSION; AND ESTABLISHING A DIVISION OF FIRE PREVENTION AND INVESTIGATION, PROVIDING OFFICERS THEREFORE, AND DEFINING THEIR POWERS AND DUTIES.

Be it ordained by the North Central Fire Protection District finds as follows:

AN ORDINANCE OF THE BOARD OF THE
NORTH CENTRAL FIRE PROTECTION DISTRICT PROPOSED AND INITIATED BY
Fire Chief Timothy V. Henry
MOVED BY _____ SECONDED BY _____

The 2022 California Fire Code and 2021 International Fire Code as amended by the North Central Fire Protection District are hereby adopted.

FIRE PREVENTION

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100	Adoption of the California Fire Code
101.1	Title
101.1.2	Limits Established by Law
101.1.3	Responsibility for Enforcement
102.3	Change of Use or Occupancy
102.6	Historic Buildings
102.13	Application of Performance Code for Buildings and Facilities
103	Code Compliance Agency
103.1	General
103.2	Appointment
103.3	Deputies
104.3	Right of entry
104.3.1	Warrant
104.3.2	Inspection Frequency
104.4	Identification
104.7	Liability
104.7.1	Legal Defense
105.5	Required Operational Permits
105.5.15	Exhibits, Trade Shows, and Special Events
105.6.17	Fire Hydrants

105.6.34	Open Burning
105.6.50	Exterior Storage
105.7.16	LP-Gas
106.1	Required Construction Permits
106.2.2	Automatic Fire Extinguishing Systems
107.1	Fees for Fire Inspections
109	Maintenance
109.6	Overcrowding
110.2	Authority to Require Connection to Service Utilities
111.2	Limitations on Authority
112.3.1	Service
112.4	Violation Penalties
112.4.1	Abatement of Violation
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114.11	Unsafe Conditions
114.1.2	Structural Hazards
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304.4	Recycling and Industrial Waste Handling Facilities
304.5	Dumping of Combustible Waste Material
304.6	Removal of Debris
307.1.1	Prohibited Open Burning
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315.4.3	Additional Requirements for Outside Storage
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506.1	Where Required
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901.4.5	Additional Fire Protection Systems
901.6.3.2	Problematic Systems
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903.1.2	Determination of Building Area
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912.2.3	Address Identification
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1025.1	General
1025.1.1	Maintenance
1104	Construction Requirements for Existing Buildings
1104.7.1.	Door Swing
1104.7.2	Door Hardware
2306.2.3	Above-Ground Tanks Located Outside of Buildings, Above Grade
2401	Flammable Finishes
2401.1.2	Location
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2810.1	Scope
2810.2	Storage Site
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2810.9	Pile Fire Protection Water Supply
2810.10	Fire Extinguishers
2810.12	Sizes of Piles
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5602	Fireworks Ordinance
5604	Prohibition of Explosives
5704	Flammable and Combustible Liquids Storage
5704.3.5.1	Basement Storage
5706.2.4	Permanent and Temporary Tanks
5706.2.4.4	Locations Where Above-Ground Tanks are Prohibited
Appendix B	Fire-Flow Requirements for Buildings
B103.4	Additional Modifications.
Appendix C	Fire Hydrant Locations and Distribution
C103.4	Additional Modifications.
8-103	Historic Buildings
6101	Liquified Petroleum Gases
6101.3	Construction Documents

ADMINISTRATION

SECTION 100 ADOPTION OF THE CALIFORNIA FIRE CODE.

Section 100 of the California Fire Code is added to read:

100 Adoption of the California Fire Code. The 2022 California Fire Code, as promulgated by the California Building Standards Commission, which incorporates the adoption of the 2021 edition of the International Fire Code as amended with necessary California amendments, and the 2021 International Fire Code, including Appendix Chapters E and F, and the 2021 International Performance Code for Buildings and Facilities Part I and Part III are hereby adopted and amended by the North Central Fire Protection District for the purpose of prescribing regulations governing conditions hazardous to life and property, protection from fire, hazardous materials, or explosions, except such portions as fully as if set out at length herein. The Board does hereby find it is reasonably necessary to make certain changes and modifications to the requirements contained in the rules and regulations adopted pursuant to Sections 17922 et seq. and 18935 et seq. of the California Health and Safety Code; such change or modifications are herein more particularly set forth.

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

SECTION 101.1. TITLE.

Section 101.1 of the California Fire Code is amended to read:

101.1 Title. This code shall be known as the North Central Fire Protection District Fire Code, may be cited as such, and shall be referred to herein as "this Code." When used here, "CFC" means the 2022 California Fire Code, with such amendments as adopted by the State of California and the 2021 International Fire Code, including appendix Chapters E and F, as adopted and amended in this article.

SECTION 101.1.2 LIMITS ESTABLISHED BY LAW.

101.1.2 of the California Fire Code is added to read:

101.1.2 Limits Established by Law. The limits referred to in Sections 5704.2, 6104.2 and Chapter 56 of the California Fire Code shall mean those locations noted by fire department policy.

SECTION 101.1.3 RESPONSIBILITY FOR ENFORCEMENT.

101.1.3 of the California Fire Code is added to read:

101.1.3 Responsibility for Enforcement. Enforcement of building standards and fire protection requirements adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety, and other regulations of the State Fire Marshal, shall be the responsibility of the fire code official. This shall include R-3 occupancies, including one and two-family dwellings.

SECTION 102 APPLICABILITY

SECTION 102.3 CHANGE OF OCCUPANCY.

Section 102.3 of the California Fire Code is amended to read:

102.3 Change of Use or Occupancy. No change shall be made in the use or occupancy of any structure, which would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the California Building Code. Subject to the approval of the fire and building code officials, the use or occupancy of an existing structure shall be allowed to be changed, and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code and the California Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

SECTION 102.6 HISTORIC BUILDINGS.

Section 102.6 of the California Fire Code is amended to read:

102.6 Historic Buildings. The provisions of this Code relating to the construction, alteration, repair, enlargement, restoration, relocation, or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings and structures shall be provided with an approved fire protection plan as required in Section 1103.1.1.

SECTION 102.13 APPLICATION OF PERFORMANCE CODE FOR BUILDINGS AND FACILITIES.

Section 102.13 of the California Fire Code is added to read:

102.13 Application of Performance Code for Buildings and Facilities. Where application is made to the fire code official for approval of alternative equivalent designs, performance-based designs or other designs under 104.9 of the North Central Fire Protection District Fire Code, in new or existing buildings, the 2021 edition of the International Code Council Performance Code for Buildings and Facilities is hereby adopted. This code shall regulate and govern the alternative equivalent design, performance-based design, other design where applicable, construction, alteration, modification, extension, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, improvement of, use or maintenance of, building and/or fire protection systems, components, equipment and materials.

SECTION 103 CODE COMPLIANCE AGENCY

SECTION 103.1 GENERAL.

Section 103.1 of the California Fire Code is amended to read:

103.1 General. The department of fire prevention is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration, and enforcement of the provisions of this code.

Whenever the terms "fire department", "district", "department of fire prevention," "fire prevention bureau," "fire prevention division", or "community risk reduction unit" are used in this Code or the North Central Fire Protection District Code, the terms shall mean those personnel assigned to, and engaged in, the prevention or investigation of fire on behalf of the North Central Fire Protection District.

SECTION 103.2 APPOINTMENT.

Section 103.2 of the California Fire Code is amended to read:

103.2 Appointment. The fire code official shall be appointed by the district fire chief appointing authority of the North Central Fire Protection District.

SECTION 103.3 DEPUTIES.

Section 103.3 of the California Fire Code is amended to read:

103.3 Deputies. In accordance with the prescribed procedures of the North Central Fire Protection District and with the concurrence of the appointing authority, the fire code official shall have the authority to appoint a deputy fire code official, other related technical officers, inspectors and other employees.

SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES

SECTION 104.3 RIGHT OF ENTRY.

Section 104.3 of the California Fire Code is amended to read:

104.3 Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the fire code official has reasonable cause to believe that there exists in a building or on any premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the fire code official or designee shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed on the fire code official by this code. If such building or premises is occupied, the fire code official or designee shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the fire code official or designee shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the fire code official has recourse to every remedy provided by law to secure entry.

SECTION 104.3.1 WARRANT.

Section 104.3.1 of the California Fire Code is amended to read:

104.3.1 Warrant. Where the fire code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the fire code official or designee for the purpose of inspection and examination pursuant to this code.

SECTION 104.3.2 INSPECTION FREQUENCY.

Section 104.3.2 of the California Fire Code is added to read:

104.3.2 Inspection Frequency. The fire code official shall be authorized to establish a minimum inspection frequency for all occupancy groups where not already determined by the State of California Health and Safety Code.

SECTION 104.4 IDENTIFICATION.

Section 104.4 of the California Fire Code is amended to read:

104.4 Identification. The fire code official or designee shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

SECTION 104.7 LIABILITY.

Section 104.7 of the California Fire Code is amended to read:

104.7 Liability. The fire code official, the North Central Fire Protection Board of Directors, officer or employee charged with the enforcement of this code, while acting for the North Central Fire Protection District, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or the North Central Fire Protection District ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

SECTION 104.7.1 LEGAL DEFENSE.

Section 104.7.1 of the California Fire Code is amended to read:

104.7.1 Legal Defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the North Central Fire Protection District until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the district of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

SECTION 105 PERMITS

SECTION 105.5 REQUIRED OPERATIONAL PERMITS.

Section 105.5 of the California Fire Code is amended to read:

105.5 Required Operational Permits. The fire code official is authorized to issue operational permits for the operations set forth in Section 105.5.1 through Section 105.6.24. Required permits will be issued only for those operations where a permit fee has been established by Master Fee Schedule.

SECTION 105 5.15 EXHIBITS, TRADE SHOWS AND SPECIAL EVENTS.

Section 105.5.15 of the California Fire Code is amended to read:

105.5.15 Exhibits, Trade Shows, and Special Events. An operational permit is required to operate exhibits, trade shows, and special events.

SECTION 105 5.17 FIRE HYDRANTS.

Section 105.5.17 of the California Fire Code is amended to read:

105.5.17 Fire Hydrants. A permit is required to use fire hydrants intended for fire suppression purposes, which are installed on water systems and accessible to public roadways, alleys, or public utility easements on private property. Such permit shall be obtained from the City of Fresno Water Division, the City of Kerman Public Works, or persons responsible for providing water to such hydrants or water systems within a waterworks or community services district. Also see Sections 901.5 and 901.8.

Exception: A permit is not required for authorized employees of the water company, which supplies the system or the fire department to use or operate fire hydrants or valves.

SECTION 105.6.34 OPEN BURNING.

Section 105.6.34 of the California Fire Code is amended to read:

105.5.34 Open Burning. An operational permit is required for any open burning, including for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground, including recreational fires. Instructions and stipulations of the permit shall be adhered to.

An operational permit may only be issued after a permit has been obtained from the San Joaquin Valley Air Pollution Control District.

SECTION 105.6.50 EXTERIOR STORAGE.

Section 105.6.50 of the California Fire code is added to read:

105.6.50 Exterior Storage. An operational permit is required for the exterior storage of more than 4,999 square feet of tires, pallets, bin boxes, wood or plastic products, other combustible finished materials, wood chips, hogged material, fines, compost, recycled materials, industrial waste or similar products.

SECTION 105.7.16 LP-GAS.

Section 105.7.16 of the California Fire Code is amended to read:

105.7.16 LP-Gas. A construction permit is required for installation or modification of LP-Gas tanks with a capacity (single or aggregate) in excess of 500 gallons.

SECTION 105.6 REQUIRED CONSTRUCTION PERMITS.

Section 105.6 of the California Fire Code is amended to read:

105.6 Required Construction Permits. The fire code official is authorized to issue construction permits for work as set forth in Section 105.6.1 through Section 105.6.24. Required permits will be issued only for those operations where a permit fee has been established by Master Fee Schedule.

SECTION 105.6.1 AUTOMATIC FIRE EXTINGUISHING SYSTEMS.

Section 105.6.1 of the California Fire Code is amended to read:

105.6.1 Automatic Fire Extinguishing Systems. A construction permit is required for installation of or modification to an automatic fire extinguishing system.

SECTION 107.1 FEES FOR FIRE INSPECTIONS

SECTION 107.1 FEES FOR FIRE INSPECTION.

Section 107.1 of the California Fire Code is added to read:

107.1 Fees for Fire Inspections. The fire code official shall be authorized to charge a fee for fire inspections of existing buildings and properties within the North Central Fire Protection District. Fees for such services shall be in accordance with fire department policy.

SECTION 109 MAINTENANCE

SECTION 109.6 OVERCROWDING.

Section 109.6 of the California Fire Code is amended to read:

109.6 Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official or designee, on finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or on finding any condition that constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

SECTION 110.2 SERVICE UTILITIES

SECTION 110.2 AUTHORITY TO REQUIRE CONNECTION TO SERVICE UTILITIES.

Section 110.2 of the California Fire Code is added to read:

110.2 Authority to require connection to service utilities. The fire code official shall have the authority to require connection of utility services to the building, structure or system to a recognized service utility provider in order to ensure the safety of occupants and the preservation of the structure. Utility services may include, but are not limited to, water service, electrical service, gas service, or any other utility service. The fire code official may refuse to issue any permits until the owner of the building, structure or system provides proof of connection to the utility service.

SECTION 111 BOARD OF APPEALS

SECTION 111.2 LIMITATIONS ON AUTHORITY.

Section 111.2 of the California Fire Code is amended to read:

111.2 Limitations on Authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally 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 board shall not have authority to waive requirements of this code. An economic condition shall not be considered as a basis for an appeal of the provisions of this Code.

SECTION 112 VIOLATIONS

SECTION 112.3.1 SERVICE.

Section 112.3.1 of the California Fire Code is amended to read:

112.3.1 Service. A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition of violation either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned properties, a copy of such notice shall be sent by first class mail to the last known address of the owner, occupant, or both. The fire code official is authorized to issue an administrative citation for abatement of violations of this code in accordance with fire department policy

SECTION 112.4 VIOLATION PENALTIES.

Section 112.4 of the California Fire Code is amended to read:

112.4 Violation Penalties. Persons who shall violate any provisions of said California Fire Code or these amendments, or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build 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 shall fail to comply with such an order as affirmed or modified by the Board of Directors or by a court of competent jurisdiction within the time fixed therein, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor. Upon failure to comply with a written notice of violation, the fire code official may request that the Fresno County District Attorney institute legal action. The imposition of a 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 as determined by the fire code official. For each day or portion of a day prohibited conditions are maintained shall constitute a separate offense. The application of the penalty set forth in this subsection of this section shall not be held to prevent the district from abating the conditions. The Fire Chief or designee is authorized to issue administrative citations in accordance with written procedures and Master Fee Schedule charges approved by the Board.

112.4.1 Abatement of Violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises. Such action is subject to the cost recovery provisions of Section 115.2.

SECTION 113 STOP WORK ORDER

SECTION 113.4 FAILURE TO COMPLY.

Section 113.4 of the California Fire Code is amended to read:

113.4 Failure to Comply. Any persons who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to an administrative citation or other judicial or administrative action in accordance with Section 115.2.

SECTION 114 UNSAFE STRUCTURES OR EQUIPMENT

SECTION 114.1 General.

Section 114.1 of the California Fire Code is amended to read:

114.1 General. If during the inspection of a premises, a structure, or any building system, in whole or in part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section, and shall refer the building to the building official for any repairs, alterations, remodeling, removing or demolition required.

SECTION 114.1.1 Unsafe Conditions.

Section 114.1.1 of the California Fire Code is amended to read:

114.1.1 Unsafe Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress, inadequate light and ventilation, or that constitute a fire hazard, are otherwise dangerous to human life or the public welfare, or involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the fire code official deems necessary and as provided for in this section. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe.

SECTION 114.1.2 Structural Hazards.

Section 114.1.2 of the California Fire Code is amended to read:

114.1.2 Structural Hazards. Where an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire code official shall immediately notify the building code official in accordance with Section 114.1.

SECTION 115.2 COST RECOVERY.

Section 115.2 of the California Fire Code is added to read:

115.2 Cost Recovery. The fire code official or designee is authorized to-recover any direct or indirect costs for fire prevention, fire suppression, hazardous material incident response, and protection of the public from fire and life safety hazards.

115.3 Fire Prevention Cost Recovery. Any person or firm who fails to, or refuses to, correct, within the time allotted for correction, any fire hazard prohibited by code, regulation or law, for which a public agency has issued a notice of violation or correction respecting the hazard, or failure to comply with a written notice of violation is liable for the fire prevention costs, and any other costs, incurred in furtherance of the abatement of the fire hazard, and those costs shall be a charge against that person.

115.4 Fire Suppression Cost Recovery. Any person or firm who causes a fire, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her to escape onto any public or private property, is liable for the fire suppression costs, rescue or emergency medical services costs, and any other costs incurred as a result of fighting the fire.

115.5 Hazardous Materials Release Cost Recovery. Any person or firm who releases a hazardous material, allows a hazardous material to be released, causes, or allows a hazardous material attended by him or her to escape onto any public or private property, is liable for the hazardous material incident response, rescue or emergency medical services costs, and any other costs incurred as a result of responding to the hazardous material release.

115.6 Protection of the Public Cost Recovery. Any person or firm who creates a fire or life safety hazard to the public, allows a fire or life safety hazard to the public, causes, or allows a fire or life safety hazard to the public to escape onto any public or private property, is liable for the fire or life safety hazard incident response, rescue or emergency medical services costs, and any other costs incurred as a result of responding to the fire or life safety hazard to the public.

115.7 Action and Administration. Cost recovery actions and administration pursuant to this section shall be as set forth in the Master Fee Schedule and fire department policy, and shall constitute a debt of such person, and is collectable by the North Central Fire Protection District in the same manner as in the case of an obligation under a contract, express or implied.

115.8 Other Laws. The provisions of this section shall not be deemed to nullify or prevent the application, either cumulatively, concurrently, or separately, of the provisions of the California Health and Safety Code or any other law related to liability

DEFINITIONS

SECTION 202 GENERAL DEFINITIONS

The following definitions are added to Section 202 of the California Fire Code to read:

FIRE DEPARTMENT BYPASS KEY. An approved key used by authorized emergency services personnel to bypass secured access locations.

FIRE MARSHAL. A chief fire officer of the fire department or a duly authorized representative, who is charged with either the prevention or investigation of fires.

RECYLCING AND INDUSTRIAL WASTE. Any material which has been recycled, including post-consumer or industrial waste, wood by-products or other similar products.

RECYLCING AND INDUSTRIAL WASTE HANDLING FACILITY. Any site that stores, manufactures, processes or handles wood by-products, recycled materials, including post-consumer waste, industrial waste, or other similar materials.

GENERAL REQUIREMENTS

SECTION 304 COMBUSTIBLE WASTE MATERIAL

SECTION 304.4 RECYCLING AND INDUSTRIAL WASTE HANDLING FACILITIES.

Section 304.4 of the California Fire Code is added to read:

304.4 Recycling and Industrial Waste Handling Facilities. See Chapter 28 of the CFC and this ordinance for specific requirements related to recycling and industrial waste handling facilities. Recycling and industrial waste handling facilities shall also be in accordance with applicable fire department policies.

SECTION 304.5 DUMPING OF COMBUSTIBLE WASTE MATERIAL.

Section 304.5 of the California Fire Code is added to read:

304.5 Dumping of Combustible Waste Material. No owner or occupant of any Lot, site or premises shall maintain thereon any rubbish or waste material likely to become easily ignited, and, provided further, no person shall place, deposit, or leave any piles of dirt, metallic cans, combustible waste, or rubbish on any property not owned or controlled by such person or persons.

SECTION 304.6 REMOVAL OF DEBRIS.

Section 304.6 of the California Fire Code is added to read:

304.6 Removal of Debris. Any person having in their possession or under their control, upon any premises, any kind of materials, which have been rendered useless or unmerchandisable by reasons of any fire on the premises, or any other debris resulting from such fire, must commence to remove the same from the premises within twenty-four (24) hours after notice to do so from the fire department, and must thereupon proceed with and diligently carry on the work of such removal until the same has been completed.

SECTION 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES

SECTION 307.1.1 PROHIBITED OPEN BURNING.

Section 307.1.1 of the California Fire Code is amended to read:

307.1.1 Prohibited Open Burning. Notwithstanding other provision in Section 307, open burning is prohibited as follows:

1. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.
2. Open burning in violation of the rules or regulations promulgated by the San Joaquin Valley Air Pollution Control District.
3. The fire code official is authorized to order, or effect the immediate extinguishment, of any open burning when in the opinion of the fire code official is reasonably necessary for safety and protection of life and health, and may issue administrative citations and seek to recover costs in accordance with Sections 115.2 (Cost Recovery) of this Code.

SECTION 312 VEHICLE IMPACT PROTECTION

SECTION 312.1 GENERAL.

Section 312.1 of the California Fire Code is amended to read:

312.1 General. Vehicle impact protection required by this Code shall be provided by posts that comply with Section 312.2 of the CFC or by other approved physical barriers that comply with 312.3 of the CFC. Exception: Fire hydrants and fire sprinkler risers may be protected in accordance with fire district policies (Fire hydrant installation with protector posts) as incorporated here by reference.

SECTION 315.4.3. ADDITIONAL REQUIREMENTS FOR OUTSIDE STORAGE.

Section 315.4.3 of the California Fire Code is added to read:

315.4.3. Additional Requirements for Outside Storage. Outside storage of tires shall be in accordance with Chapter 34 of the CFC. Outside storage of recycled materials, industrial waste, idle pallets, plastic or wooden finished products, baled material, or other similar products shall be in accordance with Chapter 28 of the CFC and fire district policy. Outdoor storage at sites that store, manufacture, process or handle wood by-products, recycled materials, industrial waste, and other similar materials shall be in accordance with Chapter 28 of the CFC. An approved water supply, including on site storage, for firefighting purposes shall be provided in accordance with Section 507 of the CFC.

FIRE SERVICE FEATURES

SECTION 503 FIRE APPARATUS ACCESS ROADS

SECTION 503.5 REQUIRED GATES OR BARRICADES.

Section 503.5 of the California Fire Code amended to read:

503.5 Required Gates or Barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. Entrances to roads, trails or other access ways which have been closed with gates and barriers shall not be obstructed by parked vehicles. Any vehicle parking in violation of this section shall be subject to being towed away and stored. The registered owner of any vehicle parked in violation of this section shall be responsible for all expenses incurred in connection with the towing and storage of such vehicle.

SECTION 506 LOCKED PREMISES ACCESS.

Section 506 of the California Fire Code is renamed and amended to read:

506.1 Where Required. Where access to, or within a structure or an area is restricted because of secured openings, the fire code official is authorized to require key boxes to be installed in approved locations. Installation requirements and key box contents shall be in accordance with fire department policy.

506.1.1 Locks. An approved lock or remote opening device shall be installed on gates or similar barriers when required by the fire code official in accordance with fire department policy.

506.1.1.1 Unauthorized Possession of Fire Department Bypass Key. It shall be unlawful for any person other than those authorized by the fire code official to possess a fire department bypass key.

506.1.1.2 Unauthorized Duplication of Fire Department Bypass Key. No person shall duplicate a fire department bypass key unless approved by the fire code official.

506.1.1.3 Penalties. Any person who shall violate either section 506.1.1.1 or 506.1.1.2 shall be guilty of a misdemeanor. Prosecution of such violations shall be in accordance with the California Penal Code.

506.2 Key Box Maintenance. The operator of the building or premises shall immediately notify the fire code official and provide the new key when a lock is changed or re-keyed. The key to such lock shall be secured in the key box.

SECTION 507 FIRE PROTECTION WATER SUPPLIES

SECTION 507.3 FIRE FLOW.

Section 507.3 of the California Fire Code is amended to read:

507.3 Fire Flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or Appendix B. Fire flow requirements for buildings or portions of buildings and facilities shall be in accordance with fire department policy, approved by the North Central Fire Protection District Board of Directors.

INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS

SECTION 807 DECORATIVE MATERIALS AND ARTIFICIAL DECORATIVE VEGETATION IN NEW AND EXISTING BUILDINGS

SECTION 807.5.1.3 WOOD USE IN GROUP A-3 PLACES OF RELIGIOUS WORSHIP.

Section 807.5.1.3 of the California Fire Code is amended to read:

807.5.1.3 Wood use in Group A-3 Places of Religious Worship. In new and existing places of religious worship, wood used for ornamental purposes, trusses, paneling or chancel furnishing shall be allowed where such material meets the flame spread requirements found in Table 803.3.

FIRE PROTECTION AND LIFE SAFETY SYSTEMS

SECTION 901 GENERAL

SECTION 901.4.5 ADDITIONAL FIRE PROTECTION SYSTEM.

Section 901.4.5 of the California Fire Code is added to read:

901.4.5 Additional Fire Protection Systems. In any occupancies of a hazardous nature, where special hazards exist in addition to the normal hazards of the occupancy, or where the fire code official determines that access for fire apparatus is unduly difficult, the fire code official shall have the authority to require additional fire protection systems, equipment or a combination thereof. Such systems include, but shall not be limited to, the following: automatic fire detection systems, fire alarm systems, automatic fire extinguishing systems, standpipe systems, or portable or fixed extinguishers. Any additional fire protection systems or equipment required under this section shall be installed in accordance with this Code, the applicable referenced standards, fire district policy and be considered a required system in accordance with Section 901.4.1.

SECTION 901.6.3.2 PROBLEMATIC SYSTEMS.

Section 901.6.3.2 of the California Fire Code is added to read:

901.6.3.2 Problematic Systems. In the event of multiple fire alarm, fire detection, or fire sprinkler monitoring system activations, the fire code official is authorized to charge the property owner for the direct and indirect costs of each emergency response. After responding to two (2) false alarm at the same facility in any calendar year from July 1 through June 30th, the cost of each response will be billed at the base rate established in the Master Fee Schedule or actual time spent on the response, whichever is greater. Action and administration to recover these costs shall be in accordance with Section 115.2

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

SECTION 903.1 GENERAL.

Section 903.1 of the California Fire Code is amended to add the following sub-sections:

903.1.2 Determination of Building Area. For purposes of determining building area for automatic fire sprinkler system requirements, the following criteria shall be used:

1. Fire walls, fire barriers, fire partitions, or horizontal fire assemblies as defined in this Code shall not be considered to create separate buildings or fire areas for determining automatic fire sprinkler requirements.

Exceptions:

- (a) Party walls located on a lot line between two buildings in accordance with California Building Code, Section 706.
- (b) Fire walls without openings installed in accordance with California Building Code, Section 706 and with specific fire wall requirements in Section 903.2 of this Code based on occupancy.

2. Determination of building area for combustible construction shall be measured to the building perimeter roof drip line, including any architectural features, such as, but not limited to, mansards, towers, porte cocheres, etc., with the exception of 44" maximum depth roof eaves. For non-combustible construction, building area shall include all perimeter roof areas exceeding 44" that are required by the currently adopted edition of NFPA 13 to have fire sprinkler protection under the projection. The area of open shafts or courts need not be included in calculating floor area. When multiple buildings are considered as one building per California Building Code Section 705.3, the combined floor areas shall be used to determine the automatic fire sprinkler requirements.

SECTION 903.3.1 STANDARDS.

Section 903.3.1 of the California Fire Code is amended to read:

903.3.1 Standards. Sprinkler systems shall be designed in accordance with Sections 903.3.1.1, 903.3.1.2, and 903.3.1.3. Automatic fire sprinklers or fire sprinkler systems not required by the California Fire or Building Codes may be of any type approved by the fire code official.

903.3.1.1.3. Group R Mixed Occupancy Buildings. Mixed occupancy buildings containing Group R occupancies shall be provided with automatic sprinkler systems in accordance with Section 903.3.1.1 (NFPA 13). The R-2 or R-3 residential portion of a mixed occupancy building shall be provided with fire sprinkler piping and control valves arranged so that the automatic sprinkler system can remain in service independent of non-residential occupancies.

Exceptions:

1. Mixed occupancy buildings where a vertical fire barrier with no openings is provided in accordance with California Building Code, Section 707 separating the R occupancy from other uses may have automatic fire sprinkler systems installed in the residential portion in accordance with Sections 903.3.1.2 (NFPA 13R) or 903.3.1.3 (NFPA 13D) as applicable. Separate control valves shall be installed as indicated above unless otherwise approved by the fire code official.

2. Group R-1 or R-2 occupancies with accessory occupancy groups that do not require installation of fire sprinklers by Section 903.2.

903.3.1.1.4. Joint Live/Work Units Quarters. Where joint live/work residential dwelling units are constructed in accordance with California Fire Code, Chapter 9, Section 903, automatic sprinkler systems shall be designed in accordance with Section 903.3.1.1 (NFPA 13).

SECTION 903.4.3. FLOOR CONTROL VALVES.

Section 903.4.3 of the California Fire Code is amended to read:

903.4.3. Floor Control Valves. Approved supervised indicating control valves and water flow switches shall be provided at the point of connection to the riser on each floor in buildings with three or more levels or where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access. The building fire alarm, dedicated function fire alarm system or remote annunciator panel shall be provided at an approved location, readily accessible to the fire department and shall indicate the floor of activation of these devices.

Exception: NFPA 13R and 13D systems.

SECTION 903.6. WHERE REQUIRED IN EXISTING BUILDINGS AND STRUCTURES

Section 903.6 of the California Fire Code is amended to read:

903.6 Where Required in Existing Buildings and Structures. An approved automatic fire extinguishing system shall be provided in existing buildings and structures, including R3 occupancies, in those circumstances described in this Section and where required in Chapter 1 1. Installation requirements shall be as set forth for new buildings by Sections 903.2 through 903.2.12 and, where applicable, the California Residential Code.

1. **Building Additions.** When additions exceed 25% of the existing building square footage and the total proposed building area is 7,500 square feet or larger, an approved automatic fire extinguishing system shall be installed throughout the building. The 25% threshold shall be cumulative over the life of the building. Exception: Building additions of entirely non-combustible construction and noncombustible uses such as covered pedestrian walkways.

2. **Change of Occupancy.** In existing buildings 7,500 square feet or larger, when a Change of Occupancy, in accordance with the California Building Code, is made and the proposed new occupancy is more hazardous to life and safety than the existing occupancy, an approved automatic fire extinguishing system shall be installed throughout the building.

The determination of a more hazardous use or occupancy shall be made in accordance with fire department policy. See policy 402.005.

Exceptions:

(a) If the area in which the Change of Occupancy occurs is less than 25 percent of the actual floor area of the existing building and the area of the new occupancy is 7,499 square feet or less and an automatic fire extinguishing system is not required based on occupancy by Section 903, an automatic fire sprinkler or extinguishing system is not required for any portion of the building. The 25% limit is cumulative over the life of the building.

(b) If the area in which the Change of Occupancy occurs exceeds 25% but is less than 50% of the actual floor area of the existing building, only that portion of the building changing occupancy is required to have an approved automatic fire extinguishing system installed. An approved fire separation shall be required between portions of the building with an automatic fire extinguishing system and those portions without.

(c) If individual or cumulative Changes of Occupancy exceed 50% of the overall floor area of the existing building, then the entire building shall have an approved automatic fire extinguishing system installed throughout.

3. Fire Damage Repairs. An approved automatic fire sprinkler system shall be installed as a condition of a fire damage repair building permit as follows:

(a) When a fire occurs in any existing occupancy, including R-3 occupancies, and the building permit repair costs exceed 50% of the current building valuation, an automatic fire extinguishing system shall be installed throughout the building as required for a new building in Section 903 or R313.

(b) Fire damage repair costs and building valuation shall be determined by the Building Official of Fresno County or City of Kerman based on the current ICC Building Valuation Tables in use by the respective department at the time of the issuance of the fire damage repair permit.

4. R-2 Condominium Conversions. Existing R-1 or R-2 buildings proposed for conversion to condominiums shall have an approved automatic fire extinguishing system installed throughout as a condition of approval.

5. A-1 and A-2 Occupancies. In existing A-1 and A-2 occupancies an approved automatic fire extinguishing system shall be installed throughout the entire building as a condition of any building permit where the permit cost is one-thousand (\$1,000) or more. Exception: Building permits issued exclusively for mechanical systems, plumbing systems, electrical systems and re-roofing only.

SECTION 912 FIRE DEPARTMENT CONNECTIONS

SECTION 912.2.3 ADDRESS IDENTIFICATION.

Section 912.2.3 of the California Fire Code is added to read:

912.2.3 Address Identification. For new and existing buildings, the fire code official is authorized to require approved address or building area identification signage as needed to readily determine the building or area of a building protected by fire department connections.

MEANS OF EGRESS

SECTION 1025 LUMINOUS EGRESS PATH MARKINGS

SECTION 1025.1. GENERAL.

Section 1025.1 of the California Fire Code is amended to read:

1025.1 General. Approved luminous egress path markings delineating the exit path shall be provided in all new buildings three or more stories above grade or below grade in accordance with Sections 1025.1 through 1025.5.

1. Luminous egress path markings shall not be required on the level of exit discharge in lobbies that serve as part of the exit path in accordance with Section 1028.1.
2. Luminous egress path markings shall not be required in open parking garages that serve as part of the exit path in accordance with Section 1028.1.
3. R-3 occupancies.

1025.1.1. Maintenance. Luminous egress path markings required in this section shall be maintained in accordance with Sections 1025.1 through 1025.5 and fire department policy as applicable.

CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

SECTION 1104.7.1. DOOR SWING.

Section 1104.7.1 of the California Fire Code is added to read:

1104.7.1. Door Swing. When, in the opinion of the fire code official, it is essential for public safety in any existing building or occupancy, because of the number of persons served, or the nature of the operation, an owner, agent or lessee shall install doors that swing in the direction of egress travel, as required and approved when such places are open to the public, or when such operation is being conducted.

SECTION 1104.7.2. DOOR HARDWARE.

Section 1104.7.2 of the California Fire Code is added to read:

1104.7.2. Door Hardware. When, in the opinion of the fire code official, it is essential for public safety in any existing building or occupancy, because of the number of persons served, or the nature of the operation, an owner, agent or lessee shall provide and maintain panic or fire exit hardware, as required and approved when such places are open to the public, or when such operation is being conducted.

MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES

SECTION 2306.2.3. ABOVE-GROUND TANKS LOCATED OUTSIDE OF BUILDINGS, ABOVE GRADE.

Section 2306.2.3 of the California Fire Code is amended to read.

1. Above-ground tanks used for outside above grade storage of Class I and II liquids shall be listed and labeled as protected above-ground tanks in accordance with Chapter 57. Such tanks shall be located in accordance with Table 2306.2.3.
2. Above-ground tanks used for above grade storage of Class III-A liquids are allowed to be protected above-ground tanks, or when approved by the fire code official, other above-ground tanks that comply with Chapter 57. Tank locations shall be in accordance with Table 2306.2.3.
3. Tanks containing fuels shall not exceed 12,000 gallons (45 420 L) in individual capacity or 48,000 gallons (181 680 L) in aggregate capacity. Installations with the maximum allowable aggregate capacity shall be separated from other such installations by not less than 100 feet (30 480 mm).
4. Tanks located at tank farms, construction projects, or rural areas shall comply with Section 5706.2 (et. al.)

FLAMMABLE FINISHES

SECTION 2401 GENERAL

SECTION 2401.1.2 LOCATION.

Section 2401.1.2 of the California Fire Code is added to read:

2401.1.2 Location. Locations or areas used for any of the operations noted in Section 2401.1 shall be located in accordance with the respective regulating agencies or departments and fire district policy.

SECTION 2810 RECYCLING AND WASTE HANDLING FACILITIES

SECTION 2810.1 SCOPE.

Section 2810.1 of the California Fire Code is added to read:

2810.1 Scope. The storage, manufacturing, processing or handling of wood byproducts, recycled materials, industrial waste, and other similar materials not otherwise regulated by this code shall be in accordance with this section and fire department policy. The title of this Section shall be "RECYCLING AND WASTE HANDLING FACILITIES."

SECTION 2810.2. STORAGE SITE

Section 2810.2 of the California Fire Code is added to read:

2810.2 Storage Site. Storage, manufacturing, processing or handling sites shall be level and on solid ground, elevated soil lifts or other all-weather surface. Sites shall be thoroughly cleaned before transferring regulated products to the site.

SECTION 2810.5 SECURITY

Section 2810.5 of the California Fire Code is added to read:

2810.5 Security. Site pile areas shall be surrounded with an approved fence. Fences shall be not less than 6 feet (1829 mm) in height.

SECTION 2810.6. PILE SEPARATION

Section 2810.6 of the California Fire Code is added to read:

2810.6 Pile Separation. Piles shall be separated from adjacent piles or other exposures (including but not limited to, property lines, other storage, and buildings) by means of fire district access roads.

SECTION 2810.7. CLEARANCE TO IMPORTANT BUILDINGS

Section 2810.7 of the California Fire Code is amended to read:

2810.7 Clearance to Important Buildings. Stacks of pallets shall not be stored within 0.75 times the stack height of any important building on site or shall comply with Section 2810.11.

SECTION 2810.9 PILE FIRE PROTECTION WATER SUPPLY

Section 2810.9 of the California Fire Code is added to read:

2810.9 Pile Fire Protection Water Supply. An approved water supply, including on site storage, for firefighting purposes shall be provided in accordance with Section 507.

SECTION 2810.10 FIRE EXTINGUISHERS

Section 2810.10 of the California Fire Code is added to read.

2810.10 Fire extinguishers. Portable fire extinguishers complying with Section 906 and with a minimum rating of 4-A60-B:C shall be provided on all vehicles and equipment operating on piles and at all processing equipment.

SECTION 2810.12. SIZE OF PILES.

Section 2810.12 of the California Fire Code is added to read.

2810.12. Size of Piles. Piles shall not exceed 20 feet (6.1 m) in height, 50 feet (15.2 m) in width and 250 feet (76.2 m) in length. Piles shall be separated from adjacent piles or other exposures (including, but not limited to, property lines, other storage, and buildings) by means of fire district access roadways. A 120 foot (36.6 m) by 90 foot (27.5 m) area shall be maintained available for use by the fire district for interim storage of pile breakdown material during fire suppression activities.

Exception: The fire code official is authorized to allow the pile size to be increased where a fire protection plan has been approved and additional fire protection is provided in accordance with Chapter 9. The increase shall be based on the capabilities of the system installed and the features of the system.

The fire protection plan shall include, but is not limited to, the following:

1. Storage yard areas and materials-handling equipment selection, design and arrangement shall be based upon sound fire prevention and protection principles.
2. Factors that lead to spontaneous heating shall be identified in the plan, and control of the various factors shall be identified and implemented, including provisions for monitoring the internal condition of the pile.
3. The plan shall include means for early fire detection and reporting to the public fire district; and facilities needed by the fire district for fire extinguishment including a water supply, on site water storage and fire hydrants.
4. Fire apparatus access roads around the piles and access roads to the top of the piles shall be established, identified and maintained.

Regular yard inspections by trained personnel shall be included as part of an effective fire prevention maintenance program.

Additional fire protection called for in the plan shall be provided and shall be installed in accordance with this code.

SECTION 2810.13 EXTERIOR STORAGE OF RECYCLED MATERIALS, INDUSTRIAL WASTE, AND IDLE PALLETS.

2810.13 Exterior Storage of Recycled Materials, Industrial Waste and Idle Pallets. For exterior storage of recycled material, industrial waste and idle pallets, see Section 315.4.3 and fire district policy.

EXPLOSIVES AND FIREWORKS

SECTION 5602 FIREWORKS ORDINANCE.

Section 5602 of the California Fire Code is amended to read:

5602.1 Fireworks Ordinance. This Section shall be known and cited as the "Fireworks Ordinance." When used, "this Section" means the Fireworks Ordinance.

5602.1.1 Definitions. The following terms are defined in Charter 2.

5602.2 Findings and Intent.

(a) This Section governs the imposition, enforcement, collection and administrative review of all administrative fines related to: the possession, use, storage, sale and/or display of those fireworks classified as dangerous fireworks in California Health and Safety Code, Section 12505 et seq. or the possession, use, storage, sale and/or display of Safe and Sane fireworks on or at dates, times, and/or locations other than those permitted by this Section. The administrative fines are imposed under authority of Government Code, Section 53069.4; Health and Safety Code, Section 12557; and, the police power of the North Central Fire Protection District.

(b) The issuance of an administrative citation to any person or property owner constitutes but one remedy of the District to redress violations of this Section. By adopting this Section, the District does not intend to limit its authority to employ any other remedy, civil or criminal, to redress any violation of this Section which the District may otherwise pursue.

(c) The imposition of administrative fines under this Section shall be limited to persons who possess, use, sell and/or display, or the seizure of 25 pounds or less of dangerous fireworks or persons who possess, use, sell and/or display Safe and Sane fireworks on or at the dates, times, and/ or locations other than those permitted by this Section.

(d) Administrative fines collected pursuant to this Section shall not be subject to Health and Safety Code, Section 12706. The administrative fines collected shall be allocated in compliance with Health and Safety Code, Section 12557, which requires the District to

provide cost reimbursement to the California State Fire Marshal for reimbursement of costs, including, but not limited to transportation, and disposal. Regulations are to be adopted by the California State Fire Marshal setting forth this allocation. Unless and until such regulations have been adopted by the State of California, the District shall hold in trust a \$250.00 fee in addition to any fine collected to cover the reimbursement to the California State Fire Marshal for the cost of transportation and disposal of the dangerous fireworks. This fee is non-refundable.

(e) Due to the serious threat of fire or injury posed by the use of dangerous fireworks or Safe and Sane fireworks on or at dates, times, and/or locations other than those permitted by this Section, this Section imposes strict civil liability upon the owners of commercial or residential real property for all violations of this Section existing on that property. Each contiguous use, display, and/or possession shall constitute a separate violation and shall be subject to a separate administrative fine.

(f) The fire code official or designee may seek cost recovery for any costs imposed on the District or Fire Department due to negligence, an intentional wrongful act, an unintentional wrongful act, carelessness, or malice as set forth in Section 115.2 of this Code, and the Master Fee Schedule.

(g) This section shall not apply to the public display of fireworks in accordance with Section 5608.

(h) This section shall not apply to the storage and handling of Safe and Sane fireworks in accordance with the California Building Code for Class 1.4G fireworks.

5602.3 Definitions

(a) "Dangerous fireworks" shall include any items or materials listed as such in California Health and Safety Code, Section 12505.

(b) "Eligible organizations" means an organization or corporation, which has met all of the following criteria continuously for a minimum of one year preceding the filing of the application for a permit to display for sale or sell Safe and Sane fireworks.

(i) The organization and/or corporation must be a duly organized non-profit and tax-exempt charitable, religious, civic, patriotic, or community service organization or corporation with a current and valid title 26 U.S.C Section 501 (c) tax exemption from the Internal Revenue Service.

(ii) The organization must be headquartered within and clearly affiliated or identified with the North Central Fire Protection District.

(iii) The organization must be one which provides direct and regular community services and benefits to the citizens of the North Central Fire Protection District.

(iv) The organization must hold its regularly scheduled meetings within the North Central Fire Protection District.

(c) "Exempt fireworks" means any special item containing pyrotechnic compositions which the California State Fire Marshal, with the advice of the State Fire Advisory Board, has investigated and determined to be limited to industrial, commercial, and agricultural use, or religious ceremonies when authorized by a permit granted by the authority having jurisdiction.

(d) "Fireworks" means any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are useful as pyrotechnic devices or for entertainment. These items include, but are not limited to:

(i) Devices designated by the manufacturer as fireworks.

(ii) Torpedoes, skyrockets, roman candles, rockets, Daygo bombs, sparklers, party poppers, paper caps, chasers, fountains, smoke sparks, aerial bombs, and fireworks kits.

(e) "Safe and Sane fireworks" means any fireworks which do not come within the definition of "dangerous fireworks" or "exempt fireworks." All Safe and Sane fireworks shall be labeled with the Safe and Sane fireworks seal as authorized by the California State Fire Marshal.

5602.4 General Prohibition Against Possession, Sale, Use and/or Display of Fireworks.

Except as otherwise provided in this Section, no person shall possess, sell, use, display, explode or discharge any fireworks within the North Central Fire Protection District.

5602.5 Safe and Sane Fireworks: Exceptions.

(a) The sale and/or display of Safe and Sane Fireworks shall be permitted only during that period beginning at noon on June 28 and ending at noon on July 6 of the same year.

(b) Safe and Sane fireworks shall not be sold to any person under the age of sixteen (16).

(c) The use and discharge of Safe and Sane fireworks within the North Central Fire Protection District is permitted 365 days a year, between the hours of 7:00 a.m. and 10:00

p.m., except for the period of June 28 to July 6 when use and discharge will be allowed between the hours of 7:00 a.m. and 12:00 a.m.

5602.6 Safe and Sane Fireworks Permits. Permits Required:

- (a) It is unlawful for any person to sell Safe and Sane fireworks within the North Central Fire Protection District without a permit issued by the fire code official or designee.
- (b) The fire code official is authorized to promulgate administrative rules and procedures necessary for the successful and effective implementation of this Section including rules and procedures governing the submission of applications for permits to sell Safe and Sane fireworks, inspections of fireworks stands, operation of fireworks stands, and such regulations relating to the sale of Safe and Sane fireworks as may be necessary for the protection of life and property.
- (b) The fire code official or designee shall be responsible for reviewing applications for permits to sell Safe and Sane fireworks.

5602.7 Safe and Sane Fireworks. Applications:

- (a) All organizations or corporations interested in obtaining a permit to sell Safe and Sane fireworks shall submit an application to the fire department on forms provided by the fire department. There is a non-refundable application fee established by ordinance of the Board of Directors and set forth in the Master Fee Schedule. This application fee shall be in addition to any fee or tax imposed by any other chapter or article of the North Central Fire Protection District Fire Code.
- (b) The fire code official or designee shall designate the time period when applications will be accepted.
- (c) No organization shall submit more than one application. Submittal of more than one application shall be grounds for denial of all applications submitted by that organization.
- (d) There shall be allowed a maximum of thirty-one (31) fireworks stands in the North Central Fire Protection District. Stands which meet the requirement of this code will be allowed to remain until they relinquish their position. Any of the non-profit organizations which operated in accordance with previous District policy as of December 31, 2007, will retain their position until they relinquish it.
- (e) If there are less than thirty-one (31) eligible stands, then a lottery shall take place at a time and location determined by the fire code official or designee, with all eligible organizations on the waiting list to fill empty positions.

(f) Each new participant, as well as the previously permitted participants, shall submit additional information as required by the fire department which shall be reviewed prior to issuance of any permits to sell Safe and Sane fireworks for the upcoming fireworks season

5602.8 Safe and Sane Fireworks. Issuance of Permits:

(a) No permit to sell Safe and Sane fireworks shall be issued to any organization except non-profit and tax-exempt organizations or corporations organized primarily for charitable, religious, civic, patriotic, or community service as defined in Section 5602.3(b).

(b) Upon notification that the organization has been selected by lottery to participate in the upcoming fireworks season, each organization shall provide additional information as required by the fire department including, but not limited to:

(i) A non-refundable fee established by ordinance of the North Central Fire Protection District and set forth in the Master Fee Schedule. This fee shall be in addition to any fee or tax imposed by any other chapter or article of the North Central Fire Protection District ordinance adopting the 2022 California Fire Code.

(ii) An executed Indemnification and Hold Harmless Agreement as required by the North Central Fire Protection District Attorney or designee.

(iii) Throughout the life of the permit, the applicant shall pay for and maintain in full force and effect policies of insurance as required by the North Central Fire Protection District Attorney or designee. The policies of insurance shall name the North Central Fire Protection District, its officers, officials, agents, employees and authorized volunteers as additional insured. The applicant shall submit proof of insurance in a manner authorized by the North Central Fire Protection District Attorney or designee.

(iv) Other information as may be required by the fire department or North Central Fire Protection District, pursuant to administrative rules and procedures promulgated by the fire code official pursuant to Section 5602.6(b).

(c) Permits shall be issued upon review of all information submitted by the organization and inspection and approval of the organization's temporary fireworks stand.

5602.9 Safe and Sane Fireworks. Operator Safety Seminar:

Each year, one or more representatives from each organization that is granted a permit to sell or display fireworks shall attend a stand operator safety seminar conducted by the North Central Fire Protection District or the fireworks industry. Failure of an organization to have a responsible individual attend the seminar shall result in the revocation of the permit.

5602.10 Revocation of Permits. The fire code official or designee may revoke the permit of any organization that violates the provisions of this Section or any rules or regulations promulgated pursuant to Section 5602.6(b). Notice of revocation shall be made in writing by the fire department to the organization. The fire code official or his designee may reinstate a permit upon proof that the permit holder is in compliance with all provisions and rules pertaining to this Section.

5602.1.1 Administrative Fines. In addition to any other remedy available at law, any person or entity who possesses, uses, stores, sells and/or displays dangerous fireworks or any person or entity who possesses, uses, sells and/or displays Safe and Sane fireworks on or at dates, times, or locations other than those permitted by this Section are subject to an administrative fine of not less than one-thousand dollars (\$1,000.00).

5602.12 Seizure of Fireworks. The fire code official or designee shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale, stored or held in violation of this Section. Such seizure shall be subject to cost recovery in accordance with Section 115.2.

5602.13 Appeals.

(a) Any administrative citation issued for failure to comply with the provisions of this Section can be appealed to the North Central Fire Protection District Board of Directors by submitting a written request for an appeal hearing within 10 days from the date of the citation. Appeals shall be mailed to "Attention: Fire Chief, North Central Fire Protection District 15850 W. Kearney Blvd., Kerman, California 93630". If no appeal is filed within the time prescribed, the action of the fire code official or designee shall be final.

(b) The denial of an application for a fireworks permit shall be appealed pursuant to 5602.13(a). If no appeal is filed within the time prescribed, the action of the fire code official or designee shall be final.

(c) A minor and the parent(s) or guardian(s) having custody and control of said minor, are jointly and severally liable to the North Central Fire Protection District for any administrative citation and/or penalty issued for failure to comply with the provisions of this Section.

(d) The administrative citation penalty may become a special assessment or a lien against the property of any person who is issued a citation for violation of the provisions of this Section. This shall include the property of a minor who is issued a citation and/or the property of the parent(s) or guardian(s) having custody and control of the minor or private property owner that allows the illegal use or storage on their property.

SECTION 5604 PROHIBITION OF EXPLOSIVES.

Section 5604.1 of the California Fire Code is amended to read:

5604.1 Prohibition of Explosives. The possession, storage, use and handling of explosives are prohibited within the limits established by law.

Exception: Storage and sale of small arms ammunition, small arms primers, smokeless powder and black sporting powder in accordance with Title 19, Chapter 10, Article 12 of the California Code of Regulations and Section 307 of the California Building Code.

FLAMMABLE AND COMBUSTIBLE LIQUIDS

SECTION 5704 STORAGE

SECTION 5704.3.5.1 BASEMENT STORAGE.

Section 5704.3.5.1 of the California Fire Code is amended to read:

5704.3.5.1 Basement Storage. Class I liquids shall not be stored in basements. Class II and IIIA liquids shall be allowed to be stored in basements, provided that automatic fire suppression and other fire protection are provided in accordance with Chapter 9.

SECTION 5706.2.4. PERMANENT AND TEMPORARY TANKS

Section 5706.2.4 of the California Fire Code is amended to read:

5706.2.4 Permanent and Temporary Tanks. The aggregate capacity of permanent and temporary above-ground tanks containing Class I and II liquids shall not exceed 1,100 gallons (4163.9L). Tanks shall be constructed in accordance with Section 5704.2 (et. al.). Exception: Protected above-ground tanks meeting the requirements of Section 2306.2.3.

SECTION 5706.2.4.4 LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED.

Section 5706.2.4.4 of the California Fire Code is amended to read:

5706.2.4.4 Locations Where Above-Ground Tanks Are Prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by law as the limits of districts in which such storage is prohibited North Central Fire Protection District.

APPENDIX B

FIRE-FLOW REQUIREMENTS FOR BUILDINGS

SECTION B103.4 ADDITIONAL MODIFICATIONS.

Section B103.4 of the California Fire Code is amended to read:

B103.4 Additional Modifications. The fire chief is authorized to make additional modifications to fire-flow requirements for any building, or group of buildings, provided the modifications meet the intent of this code and are supported by the water system capability of the water purveyor. This section does not permit, and shall not be used for, waiving provisions of this code for required fire flow.

APPENDIX C

FIRE HYDRANT LOCATIONS AND DISTRIBUTION

SECTION C103.4 ADDITIONAL MODIFICATIONS.

Section C103.4 of the California Fire Code is amended to read:

C103.4 Additional Modifications. The Fire Chief is authorized to make additional modifications to the number of fire hydrants, fire hydrant spacing and fire hydrant location requirements, provided the modifications meet the intent of this code and are supported by the water distribution system. This section does not permit, and shall not be used for, waiving provisions of this code related to the number of fire hydrants, or fire hydrant spacing and location requirements.

SECTION 8-103 HISTORIC BUILDINGS.

Section 8-103.3 of the California Historical Building Code (CHBC) is amended to read:

8-103.3 Liability. Prevailing law regarding immunity of building and fire officials is unaffected by the use and enforcement of the CHBC.

8-104.4 Local Agency Fees. The North Central Fire Protection District and any local agencies, when involved in the appeal, may also charge affected persons reasonable fees not to exceed the cost of obtaining reviews and appeals from the Board.

8-302.1 Existing use. The specific use or character of occupancy of a qualified historical building or property, or portion thereof, may be permitted to continue in use regardless of any period of time in which it may have remained unoccupied or in other uses, provided such building or property otherwise conforms to all applicable requirements of the CHBC.

8-302.2 Change in occupancy. The use or character of the occupancy of a qualified historical building or property may be changed from or returned to its historical use or character, provided the qualified historical building or property conforms to the requirements applicable to the new use or character of occupancy as set forth in the CHBC and North Central Fire Protection District Fire Code Sections 903.1 through 903.3.5.1.2. Such change in occupancy shall not mandate conformance with new construction requirements as set forth in regular code.

LIQUIFIED PETROLEUM GASES

SECTION 6101 GENERAL

SECTION 6101.3 CONSTRUCTION DOCUMENTS.

Section 6101.3 of the California Fire Code is amended to read:

6101.3 Construction Documents. Where a single container or aggregate of containers is more than 500 gallons in water capacity, the installer shall submit construction documents for such installation.

If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The North Central Fire Protection District hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, regardless if any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

This ordinance shall be in full force and effect after its adoption by the North Central Fire Protection Board of Directors and ratification by the City of Kerman City Council and the County of Fresno Board of Supervisors.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the North Central Fire Protection District on this 26th day of January, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

APPROVED:

Board Chairperson

ATTEST:

Board Secretary

CERTIFICATE

STATE OF CALIFORNIA)

COUNTY OF FRESNO) SS.

CITY OF KERMAN)

I, _____, Board Secretary of the North Central Fire Protection District, do certify that the foregoing Ordinance of the Board of Directors of the North Central Fire Protection District was duly passed and adopted at a regular meeting of the Board of Directors on January 26, 2023.

DATED: January 26, 2023

Board Secretary



NORTH CENTRAL FIRE PROTECTION DISTRICT

Board of Directors: Ken Abrahamian • Michael Foglio

Michael Golden • Rusty Nonini • Amanda Souza

Fire Chief: Timothy V. Henry, CFO, EFO

Fire Headquarters

15850 W. Kearney Boulevard

Kerman, California 93630-9335

(559) 878-4550 • FAX (559) 846-3788

www.northcentralfire.org

MEMORANDUM

TO: North Central Board of Directors

FROM: Timothy V. Henry, Fire Chief

DATE: December 15, 2022

SUBJECT: Resolution No. 22-13

The North Central Fire Protection District proposed Fire Code Ordinance No. 2022-01 contains added standards, which are adopted or modified by the District Board as necessary to ensure the safety of the community.

Modifications that are administrative in nature do not require express findings, however, non-administrative modifications to building standards in the California Fire Code must be supported by an express finding relating to local climatic, geological, or topographical conditions. Additionally, any modification to building standards and to other provisions of the California Fire Code adopted by the California State Fire Marshal cannot be less restrictive in the specific requirements of those provisions.

Resolution No. 22-13 contains the express findings relating to local climatic, geological, or topographical conditions, including an analysis of the modifications. These findings allow the District to make the changes or modifications reasonably necessary to the California Fire Code. Resolution No. 22-13 is attached for your review as well as a list of the documentation used to support the express findings contained in the resolution.

Recommended Action: Adopt Resolution No. 22-13 making and adopting express findings that modifications or changes to the California Fire Code are reasonably necessary because of local climatic, geological and topographical conditions.

RESOLUTION NO. 22-13

A RESOLUTION OF THE NORTH CENTRAL FIRE PROTECTION DISTRICT BOARD OF DIRECTORS MAKING AND ADOPTING EXPRESS FINDINGS THAT MODIFICATIONS OR CHANGES TO THE CALIFORNIA FIRE CODE ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL AND TOPOGRAPHICAL CONDITIONS

WHEREAS, the State of California has adopted the 2021 edition of the International Fire Code, with amendments, which was entitled the 2022 California Fire Code. The 2022 California Fire Code has been incorporated into Title 24, Part 9 of the California Code of Regulations and will take effect on January 1, 2023; and,

WHEREAS, California Health & Safety Code Section 13869.7(a) authorizes the District, by ordinance, to make changes or modifications to the requirements contained in the provisions of the California Fire Code and other regulations adopted pursuant to California Health & Safety Code Sections 17958.7 and 18941.5 that result in more stringent local requirements; and,

WHEREAS, California Health & Safety Code Sections 17958.7 and 18941.5 requires more stringent local requirements be supported by express findings made by a fire protection district that such modifications or changes are "reasonably necessary because of local climatic, geological or topographical conditions"; and,

WHEREAS, the Board of Directors of the North Central Fire Protection District intends this Resolution to fulfill the requirements of the California Health & Safety Code regarding modifications or changes to the California Fire Code including express findings of reasonable necessity because of local climatic, geological or topographical conditions.

NOW, THEREFORE, BE IT RESOLVED that the North Central Fire Protection District Board expressly finds each of the various proposed modifications or changes to the California Fire Code, which are enumerated below, are reasonably necessary because of local climatic, geological and topographical conditions in the area encompassed by the North Central Fire Protection District, as follows:

A. LOCAL CONDITIONS:

Pursuant to Health and Safety Code, Sections 17958.7 and 18941.5, local climatic, topographical, or geological conditions make the amendments to the California Fire Code reasonably necessary. The District is contiguous with the City of Fresno as well the City of Kerman metropolitan area and has nearly identical climate, geology, and topography. The District's water supply for firefighting is provided exclusively from pumped ground water sources. The local conditions for the findings for both the District as well as, the City of Fresno, and City of Kerman are very similar.

Pursuant to Health and Safety Code, Sections 17958.7 and 18941.5, local climatic, topographical or geological conditions make the amendments to the California Fire Code reasonably necessary.

1. CLIMATIC – EXTREME TEMPERATURES

1.1 As documented in the 2035 City of Fresno General Plan and the City of Fresno Master Environmental Impact Report No. 10130 for the General Plan, during the summer months the City of Fresno, along with the District experiences periods of what can only be described as extreme heat.

The last three years' worth of the "Local Climatological Data Annual Summary with Comparative Data" reports for 2016, 2017, and 2018 promulgated by the United States Department of Commerce, National Oceanic and Atmospheric Administration, National Climatic Data Center demonstrate this condition. In the 2018 summary, the mean daily maximum temperature for Fresno in June, July, August and September is: 95.6°F, 102.3°F, 98.3°F and 91.5°F respectively. In 2015 the same information is noted as: 96.4°F, 101.2°F, 98.6°F and 94.6°F and in 2016 was: 96.8°F, 96.8°F, 97.1°F and 92.4°F. The District experiences similar conditions to that of metropolitan Fresno.

1.2 Because of the extreme heat Fresno and the District experiences during the summer months, District firefighters responding to fires and other incidents requiring the evacuation of a building are regularly exposed to temperatures in excess of 105°F degrees, when accounting for their protective gear, exposing them to the probability of heat cramps, heat exhaustion and possibly heat stroke.

2. GEOLOGICAL – LIMITED WATER SUPPLY AND WATER PRESSURE

2.1 The North Central Fire Protection District area is arid area that receives small amounts of rainfall each year. In 2020, the District received only 6.17 inches of water equivalent precipitation. In 2021, the District received only 10.38 inches and in 2022, only 1.85 inches. Furthermore, the District relies primarily on pumped groundwater for its water supply. According to the California Department of Water Resources, the Kings basin (the District's underground aquifer) is in a state of critical overdraft.

2.2 Due to the hot, dry summers in the District, domestic, agricultural and industrial water demand substantially reduces the ability of the water system and aquifer to dependably meet the larger fire flow demand in many areas of the District.

3. CLIMATIC/TOPOGRAPHICAL – POOR AIR QUALITY CAUSED BY TOPOGRAPHY OF SAN JOAQUIN VALLEY AIR BASIN, LARGE NUMBER OF SUNNY DAYS AND INVERSIONS THAT FORM DURING WINTER MONTHS

3.1 As a result of the San Joaquin Valley's climate and topography, the San Joaquin Valley Air Basin (SJVAP) is predisposed to poor air quality. High mountain ranges surrounding the Valley frequently create air layer inversions that prevent mixing of

air masses. The large number of sunny days per year, and high temperatures in the summer, favor the formation of ozone. The area is so sunny the City of Fresno was ranked the second highest major California city for sunshine, with an estimated 79% annual average of possible sunshine for more than a forty-year period. In the winter, inversions form that often trap particulate matter.

3.2 The Federal EPA and California Air Resources Board have classified the San Joaquin Valley Air Basin as severe non-attainment for Ozone and serious non-attainment (Federal) non-attainment (State) for PM₁₀. Ozone is formed by a complex series of chemical reactions between reactive organic gases (ROG), oxides of nitrogen and sunlight. PM₁₀ is suspended particulate matter that is less than 10 microns in size. Given its small size, PM₁₀ can remain airborne for long periods and can be inhaled, pass through the respiratory system, and lodge in the lungs. In general, nonattainment means that the Federal standard has been exceeded more than twice per year.

3.3 Smoke is composed primarily of carbon dioxide, water vapor, carbon monoxide, particulate matter, hydrocarbons and other organic chemicals, nitrogen oxides, trace minerals and several thousand other compounds. Particulate matter is the principal pollutant of concern from some for the relatively short-term exposures (hours to weeks) typically experienced by the public. Particulate matter in wood smoke has a size range near the wavelength of visible light (.4-.7 micrometers). Since these particles can be inhaled into the deepest recesses of the lungs they are thought to represent a greater health concern than larger particles. Another pollutant of concern during some events is carbon monoxide. The San Joaquin Valley Air Pollution Control District states "Emissions from burning include fine particulate, hydrocarbons, oxides of nitrogen, oxides of sulfur, carbon monoxide, and toxic air contaminants that contribute to our air quality problems."

4. TOPOGRAPHICAL – DEVELOPMENT PATTERN

4.1 Due to the relatively low-density growth pattern in the District, its six fire stations are spaced over four miles apart resulting in an above average of a running distance for the designated first-in engine company. This above average travel distance increases the response time to fires, which result in an increase in the size and intensity of fires.

B. REASONABLE NECESSITY

As set forth in detail in the attached proposed Resolution, each of the local amendments to the California Fire Code are reasonably necessary because of these climatic, topographical, and geological conditions. The amendments may be generally characterized as relating to; (1) luminous exit markings and (2) recycling and waste handling facilities. Below is a brief summary of the reasons these amendments are necessary.

2. PHOTOLUMINESCENT EXIT MARKINGS

2.1 Photoluminescent exit markings greatly assist individuals in evacuating buildings without the use of fire personnel. Accordingly, requiring these markings will facilitate the unassisted evacuation of buildings. Therefore, fewer fire personnel will be needed at the scene of the fire to assist in the evacuation of a building in which photoluminescent exit markings have been installed. This modification continues an existing amendment previously approved by the Board.

3. ADDITIONAL REGULATION OF RECYCLING AND WASTE HANDLING FACILITIES

3.1 These additional regulations will serve to reduce the possibility of spontaneous combustion of piles of waste materials and facilitate the suppression and extinguishing of fires at these sites. This will result in smaller amounts of pollutants being released into the air and in effluent runoff, and result in fewer fire personnel having to respond to said fires. This may also shorten the time that fire personnel will be required to remain at the scene of the fires.

PASSED and ADOPTED at a regular meeting of the Board of Directors of the North Central Fire Protection District, held this 15th day of December, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Ken Abrahamian, Board Chair

ATTEST:

Amanda Souza, Board Secretary

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF KERMAN)

I, Amanda Souza, Board Secretary of the North Central Fire Protection District, do hereby certify the foregoing Resolution of the Board of Directors of the North Central Fire Protection District was duly passed and adopted at a Regular Meeting of the Board of Directors on December 15, 2022

DATED: December 15, 2022

Amanda Souza, Board Secretary



NORTH CENTRAL FIRE PROTECTION DISTRICT

Board of Directors: Ken Abrahamian • Michael Foglio

Michael Golden • Rusty Nonini • Amanda Souza

Fire Chief: Timothy V. Henry, CFO, EFO

Fire Headquarters
15850 W. Kearney Boulevard
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(559) 878-4550 • FAX (559) 846-3788
www.northcentralfire.org

MEMORANDUM

TO: North Central Board of Directors

FROM: Timothy V. Henry, Fire Chief

DATE: December 15, 2022

SUBJECT: Notice of Exemption – CEQA Requirements – Fire Code Ordinance No. 2022-01

A Notice of Exemption needs to be adopted and filed with the County of Fresno for the District's Fire Code Ordinance No. 2022-01.

District staff has conducted a preliminary environmental evaluation of proposed Fire Code Ordinance No. 2022-01 pursuant to the requirements of California Environmental Quality Act (CEQA) Guidelines, section 15061(b)(3) and has determined with certainty that there is no possibility that the adoption of the 2022 California Fire Code or any amendments made by the District may have a significant adverse effect on the environment, as defined by CEQA Guidelines, section 15382.

Recommended Action: Adopt the Notice of Exemption required by CEQA for the District's Fire Code Ordinance No. 2022-01.

ATTENTION COUNTY CLERK: PLEASE POST FOR THIRTY-ONE (31) FULL DAYS

NOTICE OF EXEMPTION

**NORTH CENTRAL FIRE PROTECTION DISTRICT
Environmental Assessment**

Applicant: North Central Fire Protection District
15850 W. Kearney Boulevard
Kerman, CA 93630

Project Location: Districtwide

Project Description: An ordinance of the North Central Fire Protection District adopting the 2022 California Fire Code as amended and contained in the North Central Fire Protection District Fire Code.

Exempt Status: The project is not subject to the requirements of CEQA pursuant to Section 15061(b)(3) of the Guidelines for California Environmental Quality Act.

Reason for Exempt Status: The adoption of this ordinance is exempt from having to comply with the requirements of CEQA, pursuant to CEQA Guidelines Section 15061(b)(3) which states: "CEQA only applies to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

This exemption is applicable as the State of California has preempted the field related to fire standards and has already adopted the California Fire Code to go into effect on January 1, 2023, regardless of the District's action. There is no possibility the District's activity in adopting the 2022 California Fire Code will have a significant effect on the environment.

Date: December 15, 2022

Prepared by: George Mavrikis, Fire Marshal, North Central Fire Protection District

Timothy V. Henry, Fire Chief
North Central Fire Protection District

(559) 878-4550



NORTH CENTRAL FIRE PROTECTION DISTRICT

Board of Directors: Ken Abrahamian • Michael Foglio
Michael Golden • Rusty Nonini • Amanda Souza

Fire Chief: Timothy V. Henry, CFO, EFO

Fire Headquarters
15850 W. Kearney Boulevard
Kerman, California 93630-9335
(559) 878-4550 • FAX (559) 846-3788
www.northcentralfire.org

MEMORANDUM

TO: North Central Board of Directors

FROM: Tim Henry, Fire Chief

DATE: December 15, 2022

SUBJECT: Disposition of District Surplus Items

District staff has identified surplus items belonging to the District that can be sold or disposed of. Attached is Resolution No. 22-14 declaring such items as surplus and allowing District staff to proceed in the disposition of these items.

The items are listed on Exhibit "A" of District Resolution No. 22-14.

1. Low pressure Hurst extrication tool (3)- End of service life
2. Extrication pressure head with reels (1)- End of service life
3. Holmatro combi tools (3)- End of service life/no longer needed
4. Air bags kit (1)- End of service life/damaged
5. Survivair air bottles (17)- End of service life/no longer usable
6. Hard suction rack in storage room (1)- No longer needed
7. Reel Mowers (4)- No longer needed
8. Wood dinning chair (1)- Broken
9. Rolling office chairs (2)- Broken/excess
10. Printer/fax/scanner (2)- Broken/out of service
11. Station Recliner chair (2)- Broken/excess
12. Treadmill (1)- Broken/end of service life
13. Air Diesel Deutz Generator at station 56- replaced with new generator (1)

Recommended Action: Adopt Resolution No. 22-14, declaring the listed items as surplus items and giving district staff authorization to sell, donate or dispose of the items.

RESOLUTION NO. 22-14

A RESOLUTION BEFORE THE BOARD OF DIRECTORS OF THE NORTH CENTRAL FIRE PROTECTION DISTRICT

RESOLUTION AUTHORIZING THE DISPOSITION OF EXCESS PROPERTY

WHEREAS, the North Central Fire Protection District (the "District"), a California fire protection district, owns the equipment described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Equipment"); and

WHEREAS, Health and Safety Code section 13861 governs fire protection districts' disposal of assets and states that, "A district shall have and may exercise all rights and powers, expressed or implied, necessary to carry out the District's purposes" including the power to "acquire any property" and to "dispose of the property for the benefit of the district.; and

WHEREAS, the Equipment is not needed for any purposes of the District; and

WHEREAS, the District desires to sell, donate or dispose of the Equipment and retain any revenues from such sale in the District's General Fund; and

WHEREAS, the District's Board delegates to its staff any reasonable means to sell, donate or dispose of such Equipment.

NOW, THEREFORE, BE IT RESOLVED, by the North Central Fire Protection District Board of Directors:

1. The Board hereby finds and declares the Equipment described in Exhibit "A" is no longer needed for the purposes of the District;
2. It is the intention of the Board of Directors to sell, donate or dispose of the Equipment and to release all District's right, title, and interest in the Equipment;
3. The Board delegates to its staff any reasonable means to sell such Equipment, including through electronic auction or classified advertisement or to donate such surplus items to a governmental agency or non-profit agency preferably within the District's boundaries.

/////////
/////
///
///

PASSED AND ADOPTED this 15th day of December, 2022 by the following vote,
to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Ken Abrahamian, Board Chair

ATTEST:

Amanda Souza, Board Secretary

October- 2022

Total Calls
376

Fire/Other
49%

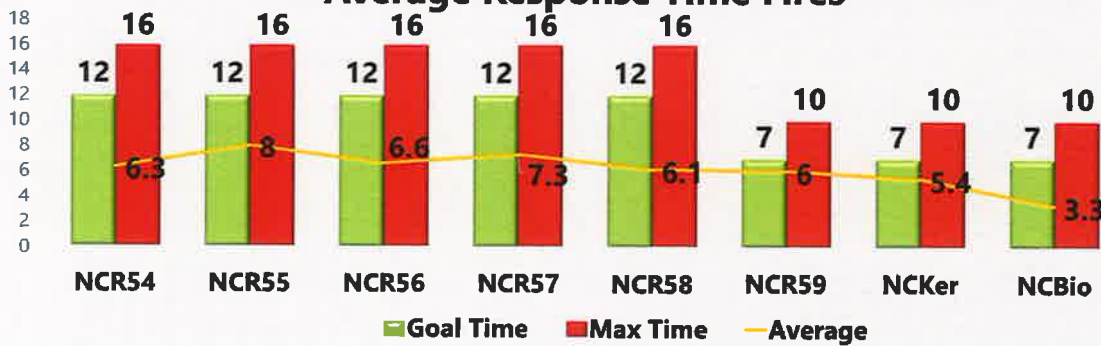
42 Fire Call Types

142 Other Types

EMS/Rescue
51%

192 EMS/Rescue Call Types

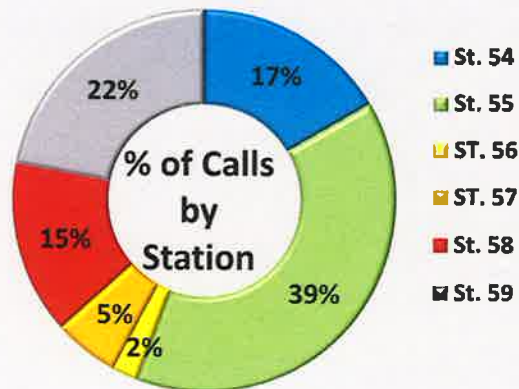
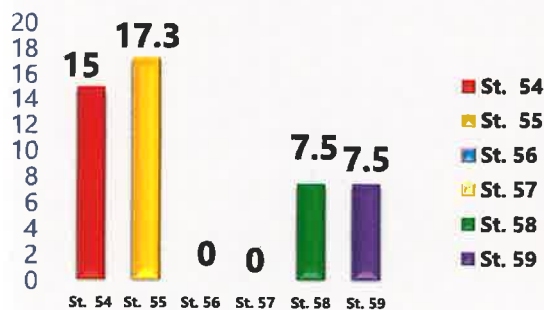
Average Response Time Fires



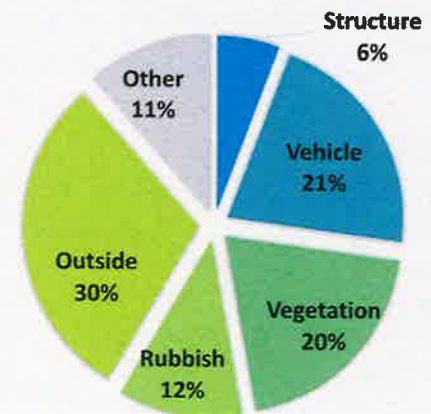
TOTAL FIRE LOSS

\$985,900.00

Overlapping call % by Station



FIRES BY TYPE



November 2022

Total Calls
376

Fire/Other
40%

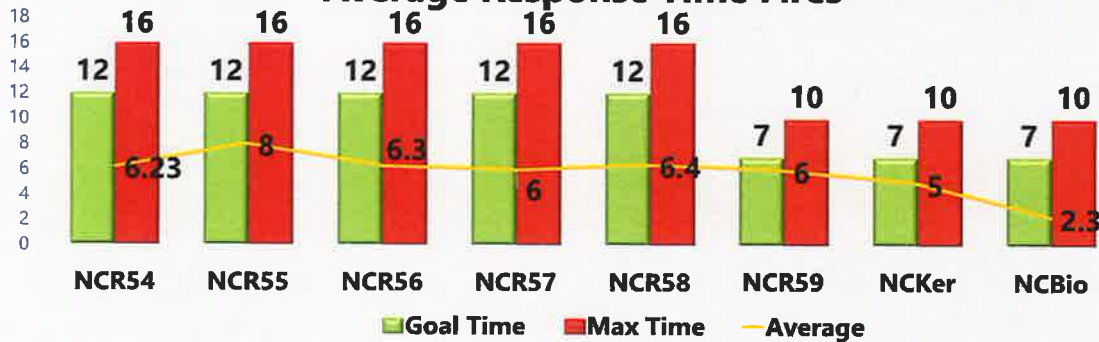
35 Fire Call Types

117 Other Types

EMS/Rescue
60%

224 EMS/Rescue Call Types

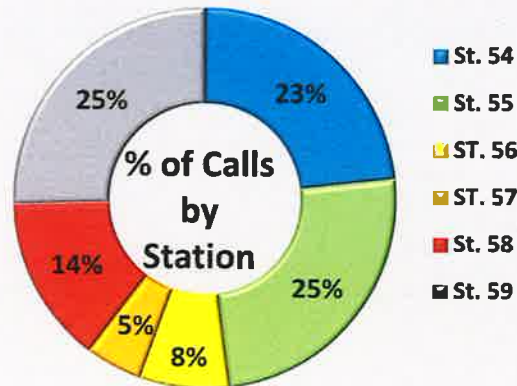
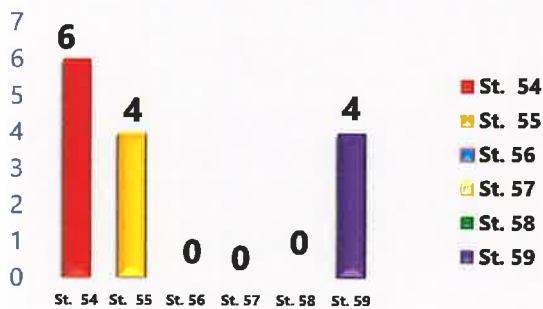
Average Response Time Fires



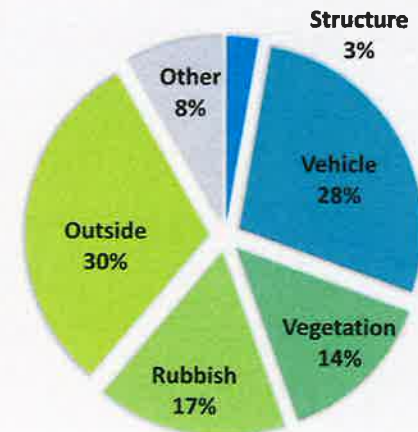
TOTAL FIRE LOSS

\$329,300.00

Overlapping call % by Station



FIRES BY TYPE





NORTH CENTRAL FIRE PROTECTION DISTRICT

Board of Directors: Ken Abrahamian • Michael Foglio

Michael Golden • Rusty Nonini • Amanda Souza

Fire Chief: Timothy V. Henry, CFO, EFO

Fire Headquarters

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Kerman, California 93630-9335

(559) 878-4550 • FAX (559) 846-3788

www.northcentralfire.org

MEMORANDUM

TO: North Central Board of Directors

FROM: Tim Henry, Fire Chief

DATE: December 15, 2022

SUBJECT: Educational Revenue Augmentation Fund Legislative Update

In early November, the District received a survey request from the Fire Districts Association of California (FDAC) regarding ERAF (Educational Revenue Augmentation Fund). ERAF is the result of a series of legislative actions taken in the early 1990s, when the State of California found itself in a serious fiscal deficit position. In an effort to address this deficit and meet its funding obligation for schools, the state shifted local property taxes away from local governments back to the State's general fund. Three decades later, this shift continues even though the State is no longer facing a deficit and local governments continue with funding shortages to respond to a growing demand for services.

One of FDAC's priorities is to help secure funding sources and identify revenue enhancement opportunities for its fire district members. To that end, FDAC is investigating the impact of ERAF on local fire agencies and asked its member agencies to complete an ERAF survey by November 15, 2022.

Why this is critical for the District is that when the ERAF legislation was enacted, it contained provisions to maintain the tax revenue of fire protection districts at their 1992-93 levels due to safety concerns, and as a result, NCFPD, along with a few other fire districts actually receive a positive ERAF shift, rather than having to contribute to ERAF. For the 2021-22 tax year, NCFPD received \$3,452,639 in ERAF funds. This represents 27% of the total property tax revenues of the District and equates to the staffing of 3 fire stations. For the vast majority of local fire districts, however, the impact negatively affects them as ERAF shifts approximately 94,000,000 in property taxes statewide away from local fire protection districts each year.

On Monday, December 12th, I provided testimony to the Fire District's Association of California's, Executive Board and Legislative Committee in Sacramento on the negative impact of any change to the 30-year ERAF funding that 72 plus fire districts have become dependent on.

There were multiple speakers providing testimony on the subject. The discussion among the Board & Committee shifted from the reversal of the ERAF legislation to the source of the problem. Those providing testimony, agreed that over 450 fire protection districts have been underfunded by multiple legislative actions in the past. ERAF legislation came on the heels of the Proposition 13 rollback in property taxes, along with 100% of Proposition 172 funds going directly to law enforcement, leaving Special Districts struggling with maintaining expected service levels.

Additional detail on the impact on local government of ERAF, as well as FDAC's efforts and speaking points to bring ERAF to the forefront at the legislative level is attached. In addition, the FDAC survey questions and District responses are also provided.

As additional information becomes available, staff will keep the Board apprised.

Recommended Action: Information Only

Fire Districts Association of California - ERAF Narrative

In 1988, California amended the State's Constitution (Prop 98) to ensure that all children within the State, Grades K - 12 had sufficient funding for their schools to operate at a basic minimum level or Basic Aid through state funding. The more affluent areas of the State would assist the less affluent areas of the State via this Constitutional amendment (Prop-98).

Then in 1993 the State's Legislature subverted the intent of the State funding this obligation and transferred the financial obligation to local government. Then in 1994, the State Legislature transferred an additional and larger financial obligation to the local government. This transfer of the financial obligation to fund schools at a minimum level from the State to local government legislation was labeled the Educational Revenue Augmentation Fund (ERAF-I and II). The monies are generated and distributed all within a single county and are not shared between counties. So, when legislation was enacted in 1998 to return "excess" ERAF monies at the county level, some local agencies in more affluent counties received the majority of their shifted ERAF funds back. Local government agencies in less affluent areas did not see a return of ERAF dollars.

ERAF was/is funded by a shift of local property tax revenues. Non-enterprise agencies such as fire protection districts rely heavily on property tax revenue. For some of these local agencies, their total annual revenues may be up to 95-99% from property taxes. Many local government agencies had not yet fully recovered from the effects of Proposition 13 when ERAF came into play.

The transfer of property tax revenue away from fire protection districts via ERAF was/is a permanent solution (30s years 1993-2022) to what was a temporary problem (5 years 1993-1998). The ERAF shifts have occurred for 30 years even when there was/is excess ERAF funds, and or, the State had surplus revenue. The unintended consequence has become a shortage of firefighters statewide due to a shifting of revenues away from fire protection districts. Today, in 2022, the State again has a significant surplus of revenue, yet continues to take local property taxes away from fire protection districts that are in dire need of these revenues.¹

The Rule of Unintended Consequences. Prop-13 in 1978 inadvertently negatively affected the fire service in California and significantly affected fire protection districts which are primarily funded by property tax revenues. For example, the Lakeside Fire Protection District property tax revenue was reduced by 50%.

The State tried to help some local governments with bail out funds for a year or two and these monies nearly made the Lakeside FPD whole again.

In 1980, the State passed AB 8 which created a formula for sharing the 1% property tax revenue generated by Proposition 13 with all affected agencies.

Then in 1981 the State implemented the Special District Augmentation Fund (SDAF) at the County level utilizing special district property tax revenues that were generated within a county. SDAF transferred a portion of special district property tax increment to the joint fund at the county level. Then using a formula, reapportioned it back out, such that some districts received more than they contributed, and others received less. The essence is that these funds were already special district (fire protection districts) property tax revenues in the first place.

In 1988, the people of California passed Proposition 98 to assist in the funding of public schools (K-14). The monies to fund this came from the State's General Fund. Thus, all Californians and all the counties within the State contributed. The result was that affluent counties received minimal if any of the Proposition 98 monies to assist with funding their schools, while less affluent counties with Basic Aid schools received a considerable proportion of the monies to fund their schools at the minimum required funding levels. The burden and costs were shared on a statewide basis. This is important to understand that the funding for schools was shared statewide as intended by Proposition 98.

In 1993 the State experienced insufficient revenues to fund Proposition 98 obligations. The Legislature approved legislation to shift some of the financial burden from the State to local governments to fund the schools at the required levels. This is ERAF I. Then in 1994, the State continued to have revenue insufficiencies to fund schools at Proposition 98 levels and enacts further legislation (ERAF-II) to again transfer more of the financial burden away from the State to local government. For example, for the Lakeside FPD, at least 3% of the allotted Proposition 13 one percent (1%) of the tax increment has been shifted to ERAF-I & -II at the County level. For FY-2021/22 that equates to \$2.7 million dollars or about 20% of the Lakeside FPD property tax revenues.

Two takeaways for fire protection districts need to be noted. First, the State has divested itself of using statewide revenues to fund the State's school funding obligation (Proposition 98) and transferred that obligation to local government and local property taxes. This definitely does not seem like it meets the intent of the State's constitutional obligation approved by the voters in their passage of Proposition 98. Secondly, ERAF has become a permanent solution to a temporary problem. Why, when the State has sufficient revenues (surplus budget funds), does the State not fulfill its obligation to fund its Proposition 98 requirement and relieve local government (fire protection districts) of this financial burden.

In November of 1994, the citizens of California passed another amendment to the State Constitution with Proposition 172. Proposition 172 was to assist with the funding of local public safety needs (police, fire, jails, and judicial system). Unfortunately, monies were allocated to counties and cities and not special districts, thus fire protection districts were not initially benefactors of the proposition and the counties kept all their allocated funds. A couple of counties have since deemed it appropriate to share some Proposition 172 funds with fire protection districts, but it remains a county-by-county decision. For example, the Lakeside FPD receives no funds from 172. Proposition 172 and the VLF "triple flip" assisted in negating some of the impact of ERAF on cities and counties where

there has been no financial relief from ERAF for fire protection districts. In fact, it further impacts fire protection districts, because first all ERAF funds are pooled together at the county level, then the cities and counties get a redistribution of these funds for their apportionment of VLF, while fire protection districts are left funding a greater portion of a county's ERAF requirements.

In 1998, several counties were receiving more monies from the ERAF transfers than the schools in that county needed. It was determined that further legislation was needed to enable counties to return the surplus funds. Legislation entitled "Excess ERAF" was enacted requiring counties to return monies to each contributing agency and excess ERAF monies collected. The result was that there were several affluent counties throughout the State that now return virtually all the monies shifted via ERAF. An important note here is that the intent of Proposition 98 is not being implemented. The more affluent areas of the State are not assisting the less affluent areas of the State that need additional funding for their schools (Basic Aid Schools) since the entire funding of ERAF is done at the local county level and not the State level anymore.

In FY-2022, statewide approximately 246 fire protection districts had over \$93 million transferred away from them due to ERAF shifts. According to League of Cities 08/13/2012 "ERAF Facts" (attached), Special Districts had an ERAF net loss of \$590 million, \$940 million for cities and \$2,780 million for counties.²

In 2022, according to the ERAF spreadsheet included with this report that number is approaching \$1 billion for special districts. The current impact on cities is still being investigated. Fire protection districts specifically, in FY-2022, statewide approximately 246 fire protection districts had over \$94 million transferred away from them due to ERAF shifts.³

The loss of \$94 million equates to easily over 500 additional firefighters that could be added to fire districts statewide (using a recent southern California regional salary survey).⁴

For example, Lakeside FPD had over \$2.9 million alone transferred to ERAF in 2022. This translates easily to the ability for Lakeside FPD to staff an additional fire engine or two (6 FF's) every day and twelve (12) more firefighters the district can call back for major emergencies. At the local level, the Lakeside FPD is not atypical to what is happening with fire protection districts across the State. For Lakeside FPD:

- Since 1990, the district's population has grown by 30 percent (30%) to almost 65,000 residents.
- During this same 30-year period, requests for emergency assistance (fires, rescues, traffic accidents, medical emergencies, and hazardous materials releases) have increased by 300% to 10,000 incidents per year.
- Yet, the resources that the district has to respond to these emergencies have remained the same, just four (4) engine companies staffed by only twelve (12) firefighters daily.

- The number of incidents daily that Lakeside is unable to respond to continues to grow. The resultant inability to provide resources to an ever-increasing number of emergency incidents within Lakeside's own jurisdiction continues to reduce the service level to their citizens.
- Lakeside FPD has been unable to meet their capital facilities needs for years. In 2005, Lakeside FPD needed to replace two (2) of their four fire stations which were both over forty (40+) years old. In 2010, a grant from the local redevelopment agency provided funding for one fire station. The other station was relocated in 2016 and is housed in a temporary facility awaiting sufficient property tax funding which is not anticipated to be available until 2035.

The State, both regionally and as a whole, is dependent on local government fire resources to respond to large fires, emergencies, and catastrophes. These local government fire resources make up over 50% of the responding firefighters to State incidents. Deficiencies at the local level impacts the ability of fire protection districts to fill the resource requests at the State and regional level. This is known as Unable to Fill (UTF) requests. In 2020 the state UTFs were ## and in 2021 the UTFs were ##.

- Throughout the state, fire districts have insufficient funding to meet capital needs.
- Workforce deficiencies continue to abound due to insufficient funding for competitive salary and benefits.
- The continued increase in demands for emergency services locally without corresponding increases in resources due to a lack of funding inhibit Fire Protection Districts throughout the State from participating and providing resources regionally and statewide when requested.

The fire service in the State of California is in the midst of a multi-year wildfire crisis. More and more, and larger and larger wildland fires are occurring from one end of the State to the other. Greater loss of property, homes and lives are occurring each year. We can argue the cause, but in the end the issue is that the State of California fire service is woefully understaffed to be able to adequately respond and suppress these fires. Ending any future shifts of ERAF revenue on local fire protection districts would help enable the proper staffing to fight the ever-increasingly long fire season and protect Californians as we move into the future.

Due to the extreme impact of climate change which is causing the State to experience severe drought conditions and intense wildfires, it is imperative that local government fire agencies have the funding they need to be able to respond to both their constituents and other fire agencies request for mutual aid. California's mutual aid system is considered one of the best, if not the best, emergency response system in the world. The system can only remain successful if all first responder agencies can be adequately staffed, adequately equipped, which means adequately funded.

During these extreme fire episodes, discussions continue as to what new revenues are needed at the State and local levels to be prepared for what has become a year-long fire season. The discussions should include also what revenues have these local agencies

lost during ERAF or other State decisions, that have robbed revenues rightfully due these local fire service governments.

Fire protection districts are not asking that their ERAF return impact other vital local services provided by cities, counties or other special districts. Fire protection districts are asking for a stop to ERAF moving forward as a return of local property taxes intended to fund local fire protection services allowing us to fulfill our obligation to our constituents and to other fire services agencies in protecting lives, property and the environment in this great state of California.

¹ Todd S. Purdumn, "Budget Surplus Is Burning a Hole in California's Pocket," New York Times. 1998.

² Raymond Tse, "*Property Tax Raw Data for Fiscal Year 2019-20 to 2021-22*," California State Controller's Office.

³ **

⁴ Data collected in 2019 from a salary survey in the San Diego County Fire Protection Districts and Heartland Communication Fire Authority.

FDAC SURVEY QUESTIONS AND RESPONSES

In consultation with the Fresno County Office of Education and the Special Accounting Division of the Fresno County Auditor-Controller/Treasurer-Tax Collector, the following information was provided in response to the FDAC questions:

Question

1. Special District Name and County: NCFPD and Fresno County
2. How much property tax revenues were shifted to ERAF for 20-21?
 - NCFPD received \$3,280,711 from ERAF to the District
 - NCFPD Zone 1 shifted \$592,170 to ERAF
3. If ERAF was non-existent OR what would the total amount of property tax revenues due the District has been for 20-21?
 - NCFPD - \$5,628,428 is the gross levy w/o ERAF shift of \$3,280,711 to District. This is the gross levy of \$5,739,915 less \$111,487 in County Admin Fees. County indicated when ERAF legislation was enacted, it did contain provisions to maintain the tax revenue of fire protection districts at their 1992-93 levels due to safety concerns, and as a result, many fire districts received a positive ERAF shift such as NCFPD.
 - Zone 1 - \$1,654,235, the gross levy of \$1,667,520 less \$13,285 in County Admin Fees due Zone 1
4. What is the formula that the ACT-TC uses to calculate ERAF?
 - Fresno County calculates ERAF Shift amounts at the jurisdiction level pursuant to Revenue and Taxation Code Chapter 6, Article 3. Revenue Allocation Shifts for Education [98-97.81]. They take the AB8 incremental percentage of growth in each year and apply that to the prior year ERAF shift to determine the current year shift amount.
5. What is formula used by COE?
 - FCOE (Fresno County Office of Education) indicated that the County Auditor-Controller/Treasurer-Tax Collector performs the ERAF calculations and distributions of ERAF in its entirety.
6. What School Districts within the County are recipients of ERAF funding for 20-21?
 - In FY 2020-21 ERAF didn't have any funds for distribution to the school districts, instead, schools and colleges paid an additional \$13,478,617 to cover the negative ERAF.
7. After the VLF backfill for Cities and County, how much money is left in ERAF for distribution to schools

- After the VLF backfill there was still insufficient ERAF money for distribution to the school districts.

8. How much property tax revenue is shifted to your County's ERAF fund by all the fire districts in your County for 20-21?

- Three fire protection districts receive ERAF funds totaling \$3,353,414 and two districts (plus 9 zones) shift \$3,758,810 to ERAF for a net shift among all five districts of \$405,396 to ERAF.

DRAFT	2023-24 LEGISLATIVE SESSION - CALENDAR	
MON	12/5/2022	2023-24 LEGISLATION SESSION CONVENES & ORGANIZE
SUN	1/1/2023	Statutes take effect.
WED	1/4/2023	LEGISLATURE RECONVENES
TUES	1/10/2023	BUDGET MUST BE SUBMITTED BY GOVERNOR
MON	1/16/2023	HOLIDAY - MARTIN LUTHER KING JR. DAY
FRI	1/20/2023	LEGISLATIVE COUNSEL DEADLINE
FRI	1/27/2023	FIRE TASK FORCE MEETING - LOCATION TBA
FRI	2/17/2023	BILL INTRODUCTION DEADLINE
MON	2/20/2023	HOLIDAY - PRESIDENTS' DAY
FRI	2/24/2023	FIRE TASK FORCE MEETING - LOCATION TBA
TUES	3/7/2023	POTENTIAL - FIRE LOBBY DAY
WED	3/8/2023	POTENTIAL - FIRE LOBBY DAY
FRI	3/24/2023	FIRE TASK FORCE MEETING - LOCATION TBA
THURS	3/30/2023	SPRING RECESS BEGINS AT CONCLUSION OF SESSION
FRI	3/31/2023	HOLIDAY - CESAR CHAVEZ DAY
SUN	4/9/2023	EASTER SUNDAY
MON	4/10/2023	LEGISLATURE RECONVENES
FRI	4/21/2023	FIRE TASK FORCE MEETING - LOCATION TBA
FRI	4/28/2023	Last day for policy committees to hear & report to fiscal committees fiscal bills introduced in their house.
FRI	5/5/2023	Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house.
FRI	5/12/2023	Last day for policy committees to meet prior to June 5.
FRI	5/19/2023	Last day for fiscal committees to hear & report to the Floor bills introduced in their house.
FRI	5/19/2023	Last day for fiscal committees to meet prior to June 5.
Fri	5/19/2023	FIRE TASK FORCE MEETING - LOCATION TBA
MON	5/29/2023	HOLIDAY - MEMORIAL DAY
	5/30-6/2/2023	Floor Session Only. No committees, other than conference or Rules committees, may meet for any purpose.
FRI	6/2/2023	Last day for each house to pass bills introduced in that house (J.R. 61(a)(8)).
MON	6/5/2023	Committee meetings may resume (J.R. 61(a)(9))
THURS	6/15/2023	Budget must be passed by midnight (Art. IV, Sec. 12(c)(3)).
FRI	6/16/2023	FIRE TASK FORCE MEETING - LOCATION TBA
TUES	7/4/2023	HOLIDAY - INDEPENDENCE DAY
FRI	7/14/2023	Last day for policy committees to meet and report bills.
	7/14-8/13/2023	SUMMER RECESS
FRI	7/21/2023	FIRE TASK FORCE MEETING - LOCATION TBA
MON	8/14/2023	LEGISLATURE RECONVENES
FRI	8/25/2023	FIRE TASK FORCE MEETING - LOCATION TBA
FRI	9/1/2023	Last day for fiscal committees to meet and report bills to Floor.
MON	9/4/2023	HOLIDAY - LABOR DAY
	9/5-9/14/2023	purpose.
FRI	9/8/2023	Last day to amend on the floor.
THURS	9/14/2023	Last day for each house to pass bills.
THURS	9/14/2023	Interim Study Recess begins at the end of this day's session.
FRI	9/22/2023	FIRE TASK FORCE MEETING - LOCATION TBA
SAT	10/14/2023	Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 14 and in his possession after Sept. 14.
FRI	10/27/2023	FIRE TASK FORCE MEETING - LOCATION TBA
FRI	11/10/2023	HOLIDAY - VETERANS DAY
THURS	11/23/2023	HOLIDAY - THANKSGIVING
FRI	11/24/2023	HOLIDAY - THANKSGIVING HOLIDAY
FRI	12/15/2023	FIRE TASK FORCE MEETING - LOCATION TBA
MON	12/25/2023	HOLIDAY - CHRISTMAS DAY
TUES	12/26/2023	HOLIDAY - CHRISTMAS HOLIDAY
MON	1/1/2024	Statutes take effect.
MON	1/1/2024	HOLIDAY - NEW YEAR'S DAY
TUES	1/2/2024	HOLIDAY - NEW YEAR'S HOLIDAY
WED	1/3/2024	LEGISLATURE RECONVENES
FRI	1/19/2024	FIRE TASK FORCE MEETING - LOCATION TBA