

**Aptos/La Selva Fire Protection District  
Board of Directors  
\* Special Board Meeting Agenda \***

**Tuesday, September 17, 2019 – 12:30 P.M.**

Administration Office – 6934 Soquel Drive, Aptos CA 95003

Complete Board Meeting packets are available on request for review at the  
Administration Office and on the A/LSFPD website.

Call (831) 685-6690 or visit: [www.aptosfire.com](http://www.aptosfire.com).

**1.0 CALL TO ORDER**

1.1 Pledge of Allegiance

1.2 Call Meeting to Order – Roll Call of Directors

**2.0 ORAL COMMUNICATIONS**

Public Oral Communications upon matters not on the Agenda: Oral presentations should ordinarily be limited to 3 minutes per person. There can be no deliberation or action on items not on the agenda. The Board may refer a matter to staff or schedule discussion for a future meeting. The public should address the Board on items on the agenda during the Boards consideration of the item.

**3.0 OLD BUSINESS**

3.1 Motion to Approve Resolution 12-19 Resolution Finding Modification of State Housing Law – Fire Marshal Mike DeMars  
Discussion and Action

3.2 Motion to Approve Revision to Resolution 13-19 – Notice of Intent to Adopt the 2019 California Fire Code – Fire Marshal Mike DeMars  
Discussion and Action

**3.0 ADJOURN MEETING**

Accommodating People with Disabilities: The Aptos/La Selva Fire Protection District does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. The District meetings are held in an accessible facility. If you wish to attend this meeting and you will require special assistance in order to participate, please contact the Administration Office at 831-685-6690 at least 72 hours in advance of the meeting to make arrangements. For TDD service the California State Relay Service 1-800-735-2929 will provide a link between the caller and the administrative staff.



# APTOS/LA SELVA FIRE PROTECTION DISTRICT

## STAFF REPORT

Date: September 17, 2019

To: Aptos/La Selva Fire Protection District Board of Directors

From: Mike DeMars – Fire Marshal

Subject: **Adoption of 2019 Fire Code**

---

### Background

Every three years, the California Building Standards Commission updates the Building Standards Code. What this means to the District is that during each code cycle the District is required to update their local codes and adopt the current model code with amendments and the California Fire Code as published by the California Building Standards Commission. The proposed ordinance adopts the 2019 California Fire Code with the enclosed amendments. The California Health and Safety Code identifies a specific process for adoption of the Fire Code with specific actions and timelines. A schedule is included in this Board packet that identifies the process components and timeline.

It is necessary for your Board to adopt a resolution finding that it is necessary to modify State Housing Law due to local conditions. This is due to the fact that the ordinance will modify the building standards that have been adopted for California. Those modifications are:

- Street and Road Signs
- Gates and Bridges
- Fire Flow
- Alternate Power Sources
- Construction Documents
- Explosives and Fireworks
- Construction and Design Provisions, and
- Definition of Turnaround, Turnout and All-Weather Surface

A resolution to make those findings is necessary whenever modifications are made to the Buildings Standards Code (Title 24 California Code of Regulations – Part 9 “Fire Code”).

Fire districts are required to solicit comments from the County after the first reading of the ordinance. Once the ordinance is adopted, it again must be forwarded to the County for ratification, modification, or denial. Based on the outcome of that action, the ordinance will go into effect thirty days after adoption by your Board. The ordinance however contains language from the California Health and Safety Code that aligns the actual effective date with the effective date of the California Fire Code (January 1, 2020). This is important to assure that there are no voids in the timing of the effective dates.

The ordinance text has been collectively prepared by members of the Santa Cruz County Fire Prevention Officers and representative of each fire agency in the county. By doing this, all agencies have a consistent code throughout all jurisdictions within the County.

## Discussion

The following is a list of the significant changes from the previous Fire Code adopted by your Board (Ordinance 02-16):

- **Section 102.1** – This is a carry-over from previous editions of your ordinance
- **Section 102.9** – This is a carry-over from previous editions of your ordinance
- **Section 103.5** – Police Powers – Change title to Law Enforcement Powers
- **Section 105.1** – This is a carry-over from previous editions of your ordinance
- **Section 108 etal** – Sections Changed from 108 etal to 109 etal
- **Section 109.4 etal** – Sections Changed from 109.4 etal to 110.4 etal
- **Section 111.4** – Sections Changed from 111.4 to 112.4
- **Section 202** – Carried over definition for ALL WEATHER SURFACE
- **Section 202** – Carried over definition for BRIDGE
- **Section 202** – Carried over definition for DE NOVO
- **Section 202** – Carried over definition for FIRE CHIEF
- **Section 202** – Added Definition of a GREEN HOUSE
- **Section 202** – Carried over definition for LOCAL RESPONSIBILITY AREA (LRA)
- **Section 202** – Carried over definition for STAGE
- **Section 202** – Carried over definition for STATE RESPONSIBILITY AREA (SRA)
- **Section 202** – Carried over definition for TURNAROUND
- **Section 202** – Carried over definition for TURNOUT
- **Section 304.1.2** – Carried over from previous editions of your ordinance
- **Section 307.2** – Carried over from previous editions of your ordinance
- **Section 308.1** – Carried over from previous editions of your ordinance
- **Section 308.1.4** – Deleted from previous editions of your ordinance
- **Section 311.5** – Carried over from previous editions of your ordinance
- **Section 501.3** – Carried over from previous editions of your ordinance
- **Section 503.2.1** – Carried over from previous editions of your ordinance
- **Section 503.2.1.1** – Carried over from previous editions of your ordinance
- **Section 503.2.3** – Carried over from previous editions of your ordinance
- **Section 503.2.4** – Carried over from previous editions of your ordinance
- **Section 503.2.5.1** – Carried over from previous editions of your ordinance
- **Section 503.6.1** – Carried over from previous editions of your ordinance
- **Section 503.2.6.2** – Carried over from previous editions of your ordinance
- **Section 503.2.6.3** – Carried over from previous editions of your ordinance
- **Section 503.2.6.4** – Carried over from previous editions of your ordinance
- **Section 503.2.6.5** – Carried over from previous editions of your ordinance

- **Section 503.2.7** – Carried over from previous editions of your ordinance
- **Section 503.7** – Carried over from the previous editions of your ordinance
- **Section 505.2** – Carried over from the previous editions of your ordinance
- **Section 507.3** – Carried over from previous editions of your ordinance
- **Section 507.5.7** – Carried over from the previous editions of your ordinance
- **Section 605.13** – Moved to New Chapter 12, Sec 1201.4 - **ENERGY SYSTEMS**
- **Section 903.1 through 903.2.1.6** – Carried over from the previous editions of your ordinance, added changes from previous editions to exceptions
- **Section 903.2.2** – Carried over from the previous editions of your ordinance
- **Section 903.2.3** – Carried over from the previous editions of your ordinance
- **Section 903.3.1.3** – Carried over from the previous editions of your ordinance
- **Section 903.3.7** – Carried over from the previous editions of your ordinance
- **Section 5303.5.3** – Carried over from the previous editions of your ordinance
- **Section 5601.1.3** – Carried over from the previous editions of your ordinance
- **Section 5601.2** – Carried over from previous editions of your ordinance
- **Section 5601.2.2** – Carried over from previous editions of your ordinance
- **Chapter 90** – Removed most of Chapter 90 of your current ordinance and renumbered as necessary. Many of the sections removed are either now covered in other parts of this code, or have been pre-empted by other state codes
- **Section 9501** – Carried over from previous editions of this ordinance

## Recommendations

1. A **motion** shall be entertained to adopt Resolution 13-19, “Notice of Intent to Adopt the 2019 International Fire Code with Amendments” and the 2019 California Fire Code, and set a Public Hearing for October 10, 2019 at 7:00 PM and direct Staff to post notice of such hearing.
2. A **motion** shall be entertained to adopt “Findings of Fact”, Resolution 12-19, “Resolution Finding Modification of State Housing Law”, and direct staff to forward a copy of findings, along with a copy of the proposed ordinance to the Clerk of the Board for the Santa Cruz County Board of Supervisors.
3. A **motion** shall be entertained to suspense with the first reading of Ordinance 01-19 due to time. Copies are available for review at the Administrative Office for those parties that are interested. Direct staff to forward a copy of the proposed ordinance to the Clerk of the Board for the Santa Cruz County Board of Supervisors with a letter stipulating that there is a public hearing set for October 10, 2019 7:00 PM., and any comments shall be returned to this board prior to your meeting of October 10, 2019
4. A **motion** shall be entertained to adopt Resolution 14-19, “Notice of Intent to Adopt a Negative Declaration at the Public Hearing of October 10, 2019. Direct staff to prepare the Environmental Checklist as necessary for such declaration.



**Aptos/La Selva Fire Protection District**  
**Central Fire Protection District**  
 6934 Soquel Drive, Aptos, CA 95003  
 (831) 685-6698  
 www.aptosfire.com • www.centralfpd.com



### Schedule for Fire Districts Adoption of the 2019 Fire Code

#### August 2019

**Starting August 1, 2019 and no later than September 1, 2019** all agencies shall start the adoption process. July 1, 2019 was the beginning of the 180-day timeframe for local governments to amend the published California Building Standards Code. Locally amended and adopted fire code will go into effect simultaneously with the California Fire Code on January 1, 2020.

- Pass "Resolution of Intent to Adopt an Ordinance". The ordinance will be to adopt The California Fire Code 2019 Edition, Based on the 2018 International Fire Code.
- Pass "Resolution of Findings to Modification of State Housing Law Reasonably Necessary Because of Local Conditions"
- Present draft ordinance and conduct first reading of the draft ordinance
- Direct staff to prepare Environmental Checklist (EIR)

#### September 1, 2019

The following shall be completed by your Board of Directors no later than this date:

- Pass "Resolution of Intent to Adopt an Ordinance". The ordinance will be to adopt The California Fire Code 2019 Edition, Based on the 2018 International Fire Code.
- Pass "Resolution of Findings to Modification of State Housing Law Reasonably Necessary Because of Local Conditions"
- Present draft ordinance and conduct first reading of the draft ordinance
- Direct staff to prepare Environmental Checklist (EIR)

#### September 5, 2019

Forward "Resolution of Adopted Findings", "Resolution of Intent to Adopt an Ordinance" and a copy of your draft amendments to County Fire Analyst (Walters and Rodewald to assist with compiling the materials for the Board packet) for processing, and submittal to the Board of Supervisors (for CTL send also to Capitola City and for SCO send also to City of Scotts Valley) for comment. ***(SCO and CTL may need to adjust their schedules to accommodate the council's meeting schedule)***

#### September 24, 2019

**Board of Supervisors Agenda** Item for comment back to individual fire boards. Comments should be forwarded immediately after Board of Supervisors meeting to accommodate fire board meetings. **(Target date of September 27, 2019 )**

#### October 2019

**The month of October is when your individual Fire Boards will take the following actions to adopt the proposed fire codes. Using the date of your Board meeting, insure that you publish your 1<sup>st</sup> (14 days in advance) and 2<sup>nd</sup> (7 days in advance) meeting notices.**

**All local District hearings shall be completed no later than October 30, 2019 to meet the deadlines below that are based on the Santa Cruz County Board of Supervisors November 19, 2019 Regular Meeting.**

- 1<sup>st</sup> Notice** Publish Public notice 14 days in advance of public hearing (**No Later than October 16, 2019**). Public Notice will be for Public Hearing of Adopting an Ordinance and Adoption of a Negative Declaration.
- 2<sup>nd</sup> Notice** Publish Public notice 7 days in advance of public hearing (**No Later than October 23, 2019**). Public Notice will be for Public Hearing of Adopting an Ordinance and Adoption of a Negative Declaration.
- October 29, 2019** Last day for an agency to:  
Hold public hearing  
Second reading  
Adopt your ordinance  
Adopt your Negative Declaration
- October 29, 2019** Forward **clean** copies (~~NO STRIKEOUT~~ / NO UNDERLINES) of Adopted Ordinances, Notice of Determination to County Fire Analyst for processing, and submittal to the Board of Supervisors for final review and ratification, modification or denial at the November 19, 2019 regular BOS Meeting. (**CTL & SCO to deliver to their Cities**) County and Cities have 15 days from district adoption to ratify, modify, or deny. (**SCO and CTL may need to adjust their schedules to accommodate the council's meeting schedule**)
- October 29, 2019** County Fire Analyst, Walters and Rodewald to insure all required documents have been received and package for delivery to CAO.
- October 31, 2019** ***County Fire and any District utilizing County Counsel MUST deliver to County Counsel no later than October 31, 2019, and forwarded to CAO Analyst***
- November 19, 2019** Board of Supervisors agenda to ratify, modify or deny.
- November 26, 2019** Letter from Clerk of the Board to fire districts acknowledging actions taken.
- November 29, 2019** Copy of Ordinance, Findings and Board of Supervisors letter mailed to HCD (required filing).
- January 1, 2020** Locally amended code takes effect, as does the California Fire Code.

**APTOS LA SELVA FIRE PROTECTION DISTRICT****RESOLUTION NO. 12-19****RESOLUTION FINDING MODIFICATION OF STATE  
HOUSING LAW BY ORDINANCE 12-19, REASONABLY  
NECESSARY BECAUSE OF LOCAL CONDITIONS**

WHEREAS, Health and Safety Code Section 13869.7 provides that a fire protection district organized under the Bergeson Fire District Law may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code, and;

WHEREAS, Health and Safety Code Section 13869.7 provides that any such changes or modifications that are more stringent and relate to fire and panic safety are subject to subdivision (b) of Health and Safety Code Section 18941.5, and;

WHEREAS, subdivision (b) of Health and Safety Code Section 13869.7 allows a fire district / 18941.5 allows a city or county to establish more restrictive building standards reasonably necessary because of local climatic, geological or topographical conditions after making the findings required by Health and Safety Code Section 17958.7.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that insofar as Ordinance 2019-01 of the Aptos La Selva Fire Protection District may change or modify the State Housing Standards adopted pursuant to Health and Safety Code Section 17922, as to the requirement for installation of an automatic sprinkler system in all new buildings and in specific cases existing buildings when altered, the Board of Directors of the Aptos La Selva Fire Protection District, after duly noticed and held public meeting, expressly finds that such change or modification to Section 903 et al of Part 9 of the California Building Standards Code is reasonably necessary because of local conditions as more specifically set forth as follows:

1. The Aptos La Selva Fire Protection District is extraordinarily inaccessible for firefighting purposes due to mountainous topography; or
2. The Aptos La Selva Fire Protection District poses an extreme fire hazard due to the high percentage of forested land (approximately 50%),
3. The Aptos La Selva Fire Protection District is subject to major disasters such as earthquakes, flooding, landslides and major wildland fires which greatly limit traditional fire suppression capabilities for individual property protection. The Aptos la Selva Fire Protection District is situated on and near the most active seismic zones in California, the San Andreas, San Gregorio, Zayante, and Hayward Faults. The great potential for earthquakes influences our community. As witnessed in the 1989 Loma Prieta Earthquake, a major seismic event will create a demand on fire protection services, and through the use of automatic fire suppression systems, the potential for a catastrophic fire loss to a community can be partially mitigated.
4. The Aptos La Selva Fire Protection District is favored with many sources of high quality water, including springs, wells, reservoirs, and surface streams, mutual and municipal water companies. However, the underground water sources are becoming depleted and extensive steps have been taken to reduce the amount of water consumed. The water supply in the Aptos La Selva Fire Protection District makes extensive use of automatic fire sprinkler systems feasible as a means to reduce our dependency on large volumes of water for fire suppression.
5. The local climatic conditions affect acceleration, intensity and size of fire in the community. Times of little or no rainfall, create extremely hazardous conditions when a

fire is introduced to the environment. Fires in structures can easily spread to the wildland as well as a fire in the wildland into a structure. Such devastating fires can be witnessed by reviewing the damage to the environment and property from the Summit Fire, Trabing Fire, Loma Fire, Martin Fire and Lexington Fire to name a few.

- 6. Most of the roadways connecting our community are classified as rural arterial and collectors. These roadways in many cases do not allow for 2-way traffic to safely pass. Additionally during events such as wildfires, earthquake and flooding, the roadways have proven to be less than adequate for the response of emergency vehicles.
- 7. The experience and efficiency of automatic fire sprinkler systems within the Aptos La Selva Fire Protection District exceed those of the National Fire Protection Association which indicate that automatic fire sprinkler systems have established an efficiency record of approximately 96% satisfactory performance in the United States since 1925. The local statistics show that all fires have been extinguished with fewer than 2 fire sprinkler heads activating, and that no further fire suppression was necessary upon arrival of fire suppression forces.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the Secretary of the Board is directed to mail a copy of these findings together with the modification or change expressly marked and identified to the California Department of Housing and Community Development and obtain a file stamped endorsed copy from the commission for retention in the District's office.

PASSED AND ADOPTED BY THE Board of Directors of the Aptos La Selva Fire Protection District, County Santa Cruz, State of California, at a regular meeting held on the September 17, 2019 by the following roll call vote:

**AYES:** \_\_\_\_\_  
**NOES:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_  
**ABSTAIN:** \_\_\_\_\_

\_\_\_\_\_  
Chairperson / President of the Board

**ATTEST:**

\_\_\_\_\_  
Secretary of the Board

**APPROVED AS TO FORM:**

\_\_\_\_\_  
District Council

**DATED:**

\_\_\_\_\_



**APTOS LA SELVA FIRE PROTECTION DISTRICT**

**RESOLUTION NO. 13-19**

**NOTICE OF INTENT TO ADOPT THE 2019 CALIFORNIA FIRE CODE WITH AMENDMENTS AND PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE AND EXPLOSION AND FOR PROVIDING FOR THE ISSUANCE OF PERMITS AND ESTABLISHING CERTAIN FEES.**

The Board of Directors of the Aptos La Selva Fire Protection District ("District"), on October 10, 2019 7:00 PM will conduct a public meeting to consider adoption of a District Ordinance which would adopt the 2019 California Fire Code with amendments, and to prescribe regulations governing conditions hazardous to life and property from fire and explosion and to provide for the issuance of permits and establishing certain fees. The hearings will be held at the Administrative Offices of the Aptos la Selva Fire Protection District 6934 Soquel Drive, Aptos , CA 95003

Copies of the proposed Ordinance are available for review at the District Office, located at 6934 Soquel Drive, Aptos, Ca 95003

**AYES:** \_\_\_\_\_  
**NOES:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_  
**ABSTAIN:** \_\_\_\_\_

\_\_\_\_\_  
Chairperson / President of the Board

**ATTEST:**

\_\_\_\_\_  
Secretary of the Board

**APPROVED AS TO FORM:**

\_\_\_\_\_  
District Council

**DATED:**

\_\_\_\_\_

**APTOS LA SELVA FIRE PROTECTION DISTRICT  
OF SANTA CRUZ COUNTY**

**ORDINANCE NO. 01-19**

An ordinance of the Aptos La Selva Fire Protection District adopting the 2019 edition of the California Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Aptos La Selva Fire Protection District providing for the issuance of permits and collection of fees therefore; repealing Ordinance 02-16 of the Aptos La Selva Fire Protection District and all other ordinances and parts of the ordinances in conflict therewith.

**PART 1**

The Board of Directors of the Aptos La Selva Fire Protection District does ordain as follows:

That portion of the 2019 California Fire Code that imposes substantially the same requirements as are contained in the International Fire Code, 2018 Edition, published by the International Code Council and the California Building Standards Commission with errata, together with those portions of the International Fire Code, 2018 Edition, including Appendices B, BB, C, CC, I, N and O as published by the International Code Council not included in the California Fire Code, as modified and amended by this ordinance, are adopted by this reference into this code, and are hereby collectively declared to be the Fire Code of the Aptos La Selva Fire Protection District, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees for same; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Aptos La Selva Fire Protection District are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Part 2 of this ordinance.

**PART 2**

**Ordinance No. 02-16 of the Aptos La Selva Fire Protection District is hereby repealed and replaced with Ordinance No. 01-19, to read as follows:**

**California Fire Code Adopted.**

That portion of the 2019 California Fire Code that imposes substantially the same requirements as are contained in the International Fire Code, 2018 Edition published by the International Code Council and the California Building Standards Commission with errata, together with those portions of the International Fire Code, 2018 Edition, including Appendices B, BB, C, CC, I, N and O published by the International Code Council not included in the 2019 California Fire Code, as modified and amended by this ordinance, are adopted by this reference into code, and are hereby collectively declared to be the Fire Code of the Aptos La Selva Fire Protection District for the purpose of regulating and governing the safeguarding of life, property and public welfare to a reasonable degree from the hazards of fire, hazardous materials release and explosion arising from the storage, use and handling of dangerous and hazardous materials, substances and devices, conditions hazardous to life or property in the occupancy and use of buildings and premises, the operation, installation, construction, location, safeguarding and maintenance of attendant equipment, the installation and maintenance of adequate means of egress not provided for by the building code, and providing for the issuance of permits and collection of fees for same.

**Section 101.1 is amended – Title.**

Section 101.1 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**101.1 - Title.** These regulations shall be known as the Fire Code of the Aptos La Selva Fire Protection District, hereinafter referred to as “this code.”

**Section 102.1 is amended – Construction and design provisions.**

Section 102.1 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**102.1 - Construction and design provisions.** The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions where required in Chapter 11.
4. Existing structures, facilities and conditions that, in the opinion of the fire code official, constitute a distinct hazard to life or property.
5. Existing Structures, Alterations and Repairs. All new work performed in alterations and/or repairs to existing structures shall comply with the current provisions of this Chapter. When alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the external walls of a building, or result in the removal, modification, replacement and/or repair of fifty percent or more of the existing internal structural and/or non-structural framework, independently or in combination thereof, within a five year period, the entire building shall be made to conform to the current provisions of this chapter. The determination under this section of the requirement for upgrading any existing structure to full conformance with current provisions of this Chapter shall be at the sole discretion of the Fire Code Official.

**Section 102.9 is amended - Matters not provided for.**

Section 102.9 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**102.9 - Matters not provided for.** Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code shall be determined by the fire code official.

The Fire Chief is authorized to render interpretations of this code and to make and enforce rules, supplemental regulations and standards in order to carry out the application and intent of its provisions. Such interpretations, rules, regulations and standards shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours. Those standards promulgated by the Santa Cruz County Fire Chiefs Association shall be deemed as prima facie evidence of compliance with this code.

**Section 103.5 is added – Law enforcement powers.**

Section 103.5 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**103.5 - Law enforcement powers.** The fire code official and his/her deputies shall have the powers of law enforcement officers in performing their duties under this code. When requested to do so by the fire code official, the Chief of Police or County Sheriff of the jurisdiction is authorized to assign such available law enforcement as necessary to assist the fire code official with enforcing the provisions of this code.

**Section 105.1 is amended – General.**

Section 105 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**105.1 - General.** Permits shall be in accordance with Sections 105.1.1. through 105.7.18- or other provisions of this code as required by the jurisdiction having authority.

**Section 107.2.1 is added – Inspection Requests.**

Section 107.2.1 of Chapter 1 of the Fire Code Aptos La Selva Fire Protection District is added to read as follows:

**107.2.1 – Inspection Requests.** It shall be the duty of the holder of the permit or their duly authorized agent to notify the fire code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

**Section 108.6 is added – Overcrowding.**

Section 107.2.1 of Chapter 1 of the Fire Code Aptos La Selva Fire Protection District is added to read as follows:

**108.6 – 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, on finding any overcrowding conditions or obstruction 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 109.1 is amended - Board of appeals established.**

Section 108.1 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**109.1 - Board of appeals established.** In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be the Board of Directors of the Aptos La Selva Fire Protection District or a sub-committee as appointed by the Board of Directors of the Aptos La Selva Fire Protection District. The fire code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board may adopt additional rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

**Section 109.3 is deleted – Qualifications.**

Section 108.3 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is deleted.

**Section 109.4 is added – Appeals process.**

Section 108.4 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**109.4.1 - Initiating appeal.** Any beneficially interested party has the right to appeal the order served by the fire code official by filing a written "NOTICE OF APPEAL" with the office of the fire code official within fourteen (14) days after service of such order. The notice shall state the order appealed from, the identity and mailing address of the appellant, and the specific grounds upon which the appeal is made.

**109.4.2 - Stay of order.** The filing of a properly completed notice of appeal shall have the effect of staying the implementation of the order appealed from, until the final decision of appeal.

**Exception:** Orders affecting acts or conditions which in the opinion of the fire code official, pose an immediate threat to life, property, or the environment as a result of panic, fire, explosion, or release.

**109.4.3 - Hearing of appeal.** Following is the process for establishing and hearing appeals:

1. The Board of Appeals, or the secretary thereof, shall set the matter to be heard at a date within thirty days of receipt of such notice of appeal. Written notice of the time and place set for hearing shall be served on the appellant by first class mail to the mailing address given in the notice of appeal at least five days prior to the date set for the hearing. The fire code official shall transmit to the Board of Appeals all records related to the appeal.
2. At the hearing on the appeal, the appellant shall, in the first instance present evidence in support of the grounds enumerated in her/his notice of appeal. The fire code official shall next present evidence in support of her/his order. The appellant and the fire code official shall each have one opportunity to rebut the evidence presented by the other. The hearing shall be de novo in all respects.

**109.4.4 - Decision of the board of appeals.** Upon hearing the appeal, the Board of Appeals may issue a decision affirming, modifying or vacating the order of the fire code official. The decision shall be in writing and shall be served upon the appellant by first class mail to the mailing address given in the notice of appeal.

**109.4.5 - Time of decision.** The Board of Appeals shall have the power to continue any hearing and may, in its discretion, take the appeal under submission. The Board of Appeals shall render a decision not later than the seventh day following the date the matter was taken under submission, and forthwith notify the interested parties as previously set forth.

**Section 110.4 is amended – Violation penalties.**

Section 109.4 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**110.4 - Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction.

Acts denominated as infractions shall not be punishable by imprisonment. Every violation determined to be an infraction is punishable by:

1. A fine not exceeding one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of the same provision of this code within one year;
3. A fine not exceeding five hundred dollars for each additional violation of the same provision of this code within one year.

A person charged with an infraction shall not be entitled to a trial by jury. A judgment that a person convicted of an infraction be punished by fine may also provide for the payment to be made within a specified time or in specified installments, contingent upon the person giving his written promise to either pay the fine as provided or to appear in court on the due date. Any person who willfully violates any such written promise is guilty of a misdemeanor.

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

**Section 110.4.1 is amended – Abatement of violation.**

Section 110.4.1 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**110.4.1 - 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. Any violation of this code shall be deemed a public nuisance pursuant to Santa Cruz County Code Section 1.12.050 and/or the Aptos

La Selva Fire Protection District's Fire Code. In the event that a public nuisance is not abated in accordance with the fire code official's order or the order of the Board of Appeals, if any, the fire code official may, upon securing approval of the Board of Directors of the Aptos La Selva Fire Protection District, proceed to abate the nuisance by force account, contract, or any other method deemed most expedient by the Board. The cost of such abatement may be charged to the owner of record or assessed to the property in a manner provided in Sections 1.14.040 through 1.14.080 of the County of Santa Cruz Code.

**Section 110.4.2 is added – Enforcement.**

Section 110.4.2 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**110.4.2 - Enforcement.** The fire code official and her/his delegated subordinates, pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, are hereby authorized to arrest a person without a warrant whenever they have reasonable cause to believe that the person has committed a violation of any of the provisions of this Code in their presence.

Upon making such an arrest, the fire code official or her/his delegated subordinate shall prepare a citation and release the person arrested pursuant to Section 853.6 of the Penal Code of the State of California, the provisions of which are hereby adopted by reference as part of this Section.

**Section 112.4 is amended – Failure to comply.**

Section 112.4 of Chapter 1 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**112.4 - Failure to comply.** It is unlawful for any person, firm or corporation to violate or fail to comply with any lawful order of the fire code official; fail to comply with an order by the Board of Appeals; or, fail to comply with an order of the court of competent jurisdiction within the time fixed therein. Every such violation shall be deemed a misdemeanor and shall be punishable by a fine of not more than \$500.00 plus court assigned fees or by imprisonment not exceeding 1 year in the county jail, or both such fine and imprisonment.

**Section 202 is amended – Definition of All-Weather Surface.**

Definition of All-Weather Surface in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is added after Alcohol-Blended Fuels to read as follows:

**ALL WEATHER SURFACE.** An all-weather surface shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and asphaltic concrete for grades exceeding 15%. No grade shall be allowed to exceed 16% in State Responsibility Area (SRA) or 20% in Local Responsibility Area (LRA).

**Section 202 is amended – Definition of Bridge.**

Definition of Bridge in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is added after Bonfire to read as follows:

**BRIDGE.** A bridge shall be defined as a structure designed to carry a roadway over a depression or obstacle.

**Section 202 is amended – Definition of De Novo.**

Definition of De Novo in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is added after Deluge System to read as follows:

**DE NOVO.** adj. Latin for "anew," which means starting over, as in a trial de novo. For example, a decision in a small claims case may be appealed to a local trial court, which may try the case again, de novo.

**Section 202 is amended – Definition of Fire Chief.**

Definition of Fire Chief in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**FIRE CHIEF.** The Chief of the Aptos La Selva Fire Protection District.

**Section 202 is amended – Definition of Greenhouse.**

Definition of Greenhouse in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is added after Grandstand to read as follows:

**GREENHOUSE.** A greenhouse is a structure with walls and roof made chiefly of a non-combustible, transparent material, such as glass, in which plants requiring regulated climatic conditions are grown. Construction within the greenhouse is also of a non-combustible nature.

**Section 202 is amended – Definition of Local Responsibility Area (LRA).**

Definition of Local Responsibility Area (LRA) in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is added after Listed to read as follows:

**LOCAL RESPONSIBILITY AREA (LRA).** Shall mean lands on which neither the state nor the federal government has any legal responsibility for providing fire protection. Local responsibility areas include incorporated cities and cultivated agriculture lands. Local responsibility area fire protection is typically provided by city fire departments, fire protection districts, special districts, counties, and by CAL FIRE under contract to local government.

**Section 202 is amended – Definition of Stage.**

Definition of Stage in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is added after Spraying Space to read as follows:

**STAGE.** A space within a building utilized for entertainment or presentations, which includes overhead hanging curtains, drops, scenery or stage effects other than lighting and sound. Stage area shall be measured to include the entire performance area and adjacent backstage and support areas not separated from the performance area by fire-resistance rated construction. Stage height shall be measured from the lowest point on the stage floor to the highest point of the roof or floor deck above the stage.

**Section 202 is amended – Definition of State Responsibility Area (SRA).**

Definition of State Responsibility Area (SRA) in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is added after Standpipe, Types of to read as follows:

**STATE RESPONSIBILITY AREA (SRA).** Shall mean lands that are classified by the Board of Forestry pursuant to Public Resources Code Section 4125-4127; and the California Code of Regulations, Title 14, Division 1.5, Chapter 7, Article 1, Sections 1220-1220.5 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State of California.

**Section 202 is amended – Definition of Turnaround.**

Definition of Turnaround in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is added after Tube Trailer, to read as follows:

**TURNAROUND.** A roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Maximum grade in all directions may not exceed 5% and maximum distance from the structure is 150 feet (45,720 mm) or as approved by the fire code official. Design of such area may be found in Santa Cruz County Fire Prevention Officers Standards.

**Section 202 is amended – Definition of Turnout.**

Definition of Turnout in Section 202 of Chapter 2 of the Fire Code of the Aptos La Selva Fire Protection District is added after Turnaround to read as follows:

**TURNOUT.** A widening in a roadway to allow vehicles to pass. Design of such area may be found in Santa Cruz County Fire Prevention Officers Standards.

**Section 304.1.2 is amended - Vegetation.**

Section 304.1.2 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**304.1.2 - Vegetation.** Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be maintained around and adjacent to buildings and structures. A firebreak shall be made by removing and clearing away, for a distance of not less than 30 feet on each side of the building or structure or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any building or structure.

When required by state law, or local ordinance, rule or regulation, an additional fire protection zone or firebreak may be made by removing all brush, flammable vegetation, or combustible growth that is located within 100 feet from the building or structure or to the property line. This section does not prevent an insurance company that insures a building or structure from requiring the owner of the building or structure to maintain a firebreak of more than 100 feet around the building or structure. Grass and other vegetation located more than 30 feet from the building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion. This does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure.

**Section 305.4 is added – Deliberate or negligent burning.**

Section 305.4 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**305.4 - Deliberate or negligent burning.** It shall be unlawful to deliberately or through negligence set fire to or cause the burning of combustible material in such a manner as to endanger the safety of persons or property.

**Section 307.2 is amended – Permit required.**

Section 307.2 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**307.2 - Permit required.** When required by the fire chief, a permit shall be obtained in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such permit shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

The open burn season for Santa Cruz County unless otherwise declared shall be December 1<sup>st</sup> through April 30<sup>th</sup> of the calendar year. The dates may only be changed by the Monterey Bay Area Unified Air Pollution Control District.

**Exception:** During the “declared open burn season” (as declared by the Monterey Bay Air Resources District) pile burning is allowed, at the discretion of the Fire Chief, when the “Guidelines for Pile Burning” (published by the California Department of Forestry and Fire Protection or Monterey Bay Air Resources District) are strictly adhered to.

**Section 307.2.1 is added – Authorization.**

Section 307.2.1 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:



**307.2.1 - Authorization.** Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

**Section 307.3 is added – Extinguishment authority.**

Section 307.3 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**307.3 - Extinguishment authority.** The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

**Section 307.4 is added - Location.**

Section 307.4 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**307.4 – Location.** The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.

**Exceptions:**

1. Fires in approved containers that are not less than 15 feet from a structure.
2. The minimum required distance from a structure shall be 25 feet when the pile size is 3 feet or less in diameter and 2 feet or less in height.

**Section 307.4.1 is added – Bonfires.**

Section 307.4.1 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**307.4.1 – Bonfires.** A bonfire shall not be conducted within 50 feet (15240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet (15240 mm) of a structure shall be eliminated prior to ignition.

**Section 307.4.2 is added – Recreational fires.**

Section 307.4.2 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**307.4.2 – Recreational fires.** Recreational fires shall not be conducted within 25 feet of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.

**Section 307.4.3 is added – Portable outdoor fireplaces.**

Section 307.4.3 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**307.4.3 – Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.

**Exception:**

Portable outdoor fireplaces used at one- and two-family dwellings.

**Section 307.5 is added - Attendance.**

Section 307.5 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**307.5 – Attendance.** Open burning; bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire – extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

**Section 308.1.2 is added – Throwing or placing sources of ignition.**

Section 308.1.2 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**308.1.2 - Throwing or placing sources of ignition.** A person shall not throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire.

**Section 308.1.4 is deleted – Open-flame cooking devices.**

Section 308.1.4 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is hereby deleted:

~~**308.1.4 – Open-flame cooking devices.** Charcoal burners and other open flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction.~~

**Exceptions:**

- ~~1. One and two family dwellings.~~
- ~~2. Where building, balconies and decks are protected by an automatic sprinkler system.~~
- ~~3. LP gas cooking devices having LP gas container with a water capacity not greater than 2 1/2 pounds [nominal 1 pound (0.454 kg) LP gas capacity].~~

**Section 308.1.6.3 is added – Sky lanterns.**

Section 308.1.6.3 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**308.1.6.3 - Sky lanterns.** A person shall not release or cause to be released an untethered sky lantern.

**Section 308.1.7 is added – Religious ceremonies.**

Section 308.1.7 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**308.1.7 – Religious ceremonies.** When, in the opinion of the fire code official, adequate safeguards have been taken, participants in religious ceremonies are allowed to carry hand-held candles. Hand-held candles shall not be passed from one person to another while lighted.

**Section 311.5 is amended – Placards.**

Section 311.5 of Chapter 3 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**311.5 – Placards.** When required by the fire code official, any building or structure determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards shall be marked as required by Sections 311.5.1 through 311.5.5.

**Section 403.12 is added – Special Requirements for Public Safety.**

Section 403.12 of Chapter 4 of the Fire Code Aptos La Selva Fire Protection District is added to read as follows:

**403.12 - Special Requirements for public safety** shall be in accordance with Sections 403.12.1 through 403.12.3.3.

**403.12.1 - Fire watch personnel.** Where, in the opinion of the fire code official, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall provide one or more fire watch personnel, as required and approved. Fire watch personnel shall comply with Sections 403.12.1.1 and 403.12.1.2

**403.12.1.1 – Duty Times.** Fire Watch personnel shall remain on duty while places requiring a fire watch are open to the public, or when activity requiring a fire watch is being conducted.

**403.12.1.2 – Duties.** On-duty fire watch personnel shall have the following responsibilities:

1. Keep diligent watch for fires, obstructions to means of egress and other hazards.
2. Take prompt measures for remediation of hazards and extinguishment of fire that occur.
3. Take prompt measures to assist in the evacuation of the public from the structure.

**Section 501.3 is amended – Construction documents.**

Section 501.3 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**501.3 – Construction documents.** Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access roads and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction. When grading work is needed for the access road(s) within the jurisdiction of Santa Cruz County, application for a grading permit shall be made with the Santa Cruz County Planning Department pursuant to the Santa Cruz County Grading Ordinance. Such Permits shall be reviewed by the Santa Cruz County Environmental Coordinator as required.

**Section 503 is added – Fire Apparatus Access Roads.**

Section 503 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added and amended below.

**Section 503.2.1 is amended – Dimensions.**

Section 503.2.1 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**503.2.1 – Dimensions.** Fire Apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572 mm).

**Exceptions:**

1. Within the State Responsibility Area (SRA) of Santa Cruz County, all driveways serving two or fewer habitable structures shall have an unobstructed width of not less than 12 feet (3658 mm) and an unobstructed vertical clearance of not less than 15 feet (4572 mm).
2. Within the Local Responsibility Area (LRA) of Santa Cruz County, access roads shall be a minimum of 18 feet (5486 mm) wide for all access roads or driveways serving more than two habitable structures, and 12 feet (3658 mm) for an access road or driveway serving two or fewer habitable structures. Where it is environmentally inadvisable to meet these criteria (due to excessive grading, tree removal or other environmental impacts), a 12-foot wide all-weather surface access road with 12-foot wide by 35-foot long turnouts located approximately every 500 feet may be provided with the approval of the fire code official.
3. Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved by the fire code official.

**Section 503.2.1.1 is added – Vegetation clearance along access roads.**

Section 503.2.1.1 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**503.2.1.1 – Vegetation clearance along access roads.** Areas within 10 feet (3048 mm) horizontal and 15 feet (4572 mm) vertical on each side of portions of highways, public and private streets, roads and driveways which are ordinarily used for vehicular traffic shall be cleared of flammable vegetation and other combustible growth. Design of such area may be found in Santa Cruz County Fire Prevention Officers Standards.

**Exception:** Single specimens of trees, ~~ornamental shrubbery~~ or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, are exempt provided they do not form a means of readily transmitting fire at the discretion of the fire code official.

**Section 503.2.3 is amended – Surface.**

Section 503.2.3 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**503.2.3 - Surface.** An all-weather surface shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and asphaltic concrete for grades exceeding 15%. No grade shall be allowed to exceed 16% in State Responsibility Area (SRA) or 20% in Local Responsibility Area (LRA).

**Section 503.2.4 is amended – Turning radius.**

Section 503.2.4 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**503.2.4 – Turning radius.** In the State Responsibility Area (SRA) no roadway shall have a horizontal inside radius of curvature of less than 50 feet and additional surface width of 4 feet shall be added to curves of 50-100 feet radius; 2 feet to those from 100-200 feet. In the Local Responsibility Area (LRA) the minimum centerline radius shall be 35 feet.

**Section 503.2.5.1 is added – New dead-end access roads.**

Section 503.2.5 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**503.2.5.1 – New dead-end access roads.** New dead-end roads are prohibited, without secondary access, serving more than one parcel in new minor land divisions or subdivisions which exceed the following distances from an adequate through road unless approved by the applicable fire protection agency, the Department of Public Works, and by the Planning Commission; in no case shall a new dead-end road exceed ½ mile in length.

Urban & Suburban General Plan and LCP Land Use Plan designation	500'
Rural General Plan and LCP Land Use Plan designation	1000'
Mountain General Plan and LCP Land Use Plan designation	1500'

**Section 503.2.6.1 is added – Width.**

Section 503.2.6.1 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**503.2.6.1 - Width.** All bridges shall be a minimum of 20 feet of clear width. The fire code official may allow the width to be reduced for access to U or R-3 occupancies in accordance with Objective 6.5 – Fire Hazards of the Santa Cruz County General Plan.

**Section 503.2.6.2 is added – Certification.**

Section 503.2.6.2 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**503.2.6.2 - Certification.** Every private bridge hereafter constructed shall be engineered by a licensed civil or structural engineer and approved by the fire code official. Certification shall be provided by the licensed engineer in writing that the bridge complies with the design standard required by this section to the fire code official.

**Section 503.2.6.3 is added – Recertification.**

Section 503.2.6.3 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**503.2.6.3 - Recertification.** Every private bridge shall be recertified every ten years or whenever deemed necessary by the fire code official. Such recertification shall be in accordance with the requirements of 503.2.6.2.

**Section 503.2.6.4 is added – Existing private bridges.**

Section 503.2.6.4 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**503.2.6.4 - Existing private bridges.** An existing private bridge not conforming to these regulations may be required to conform when in the opinion of the fire code official, such repairs are necessary for public safety.

**Section 503.2.6.5 is added – Fees.**

Section 503.2.6.5 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**503.2.6.5 - Fees.** All fees charged for the purpose of certification or recertification shall be at the owner's expense.

**Section 503.2.7 is amended – Grade.**

Section 503.2.7 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**503.2.7 – Grade.** The grade for all roads, streets, private lanes and driveways shall not exceed 16% in State Responsibility Area (SRA) and 20% in Local Responsibility Area (LRA).

**Section 503.3 is added – Marking.**

Section 503.3 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**503.3 Marking.** Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

**Section 503.7 is added – Gates.**

Section 503.7 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**503.7 – Gates.** All Gates providing access from a road to a driveway, or within any access road, shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least 2 (two) feet wider than the access road being secured, but in

no case shall the width be less than 14 (fourteen) feet unobstructed horizontal clearance and unobstructed vertical clearance of 15 (fifteen) feet. When gates are to be locked, the installation of a key box or other acceptable means for immediate access may be required as in Section 503.6.

**Section 505.2 is amended – Street and road signs.**

Section 505.2 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**505.2 - Street and road signs.** Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs. Posting of any road names and numbers not authorized by the Office of Street Naming and Numbering of the County of Santa Cruz, and the fire code official is prohibited.

**Section 507.3 is amended – Fire flow.**

Section 507.3 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**507.3 – Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method Appendix B, or Appendix BB (for school buildings as scoped in BB 101.1)

Parcels not within the boundaries of a public or private water purveyor shall have a minimum water supply capable of supplying a flow of 500 gallons per minute for 20 minutes (10,000 gallons) for all new fire sprinklered (NFPA 13D) dwellings, residential additions in excess of 500 square feet, and other structures classified as a residential accessory uses such as garages, storage buildings, barns, etc..

Privately owned water that is not supplied by a licensed water purveyor shall:

1. serve no more than two dwellings and no more than 10,000 square feet of habitable dwelling space, and;
2. be provided pursuant to a recorded covenant that runs with the land if the water supply originates from another parcel. If a water purveyor supplies the water, the applicant must submit with the building plan written verification from the licensed purveyor that the water supply meets the flow requirement.

**Exception:** A 2% reduction will be allowed for flow supplied by approved stationary water tanks, to account for the nominal standardized capacity of such tanks.

**Section 507.5.7 is added – Painting.**

Section 507.5.7 of Chapter 5 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**507.5.7 – Painting.** When required by the fire code official, fire hydrants shall be painted in accordance with NFPA 291 and Santa Cruz County Fire Prevention Officers Standards.

**CFC Sections 903.1 through 903.2.7.1 are deleted and replaced – Automatic Sprinkler Systems.**

Sections 903.1 through 903.2.7.1 of Chapter 9 of the Fire Code of the Aptos La Selva Fire Protection District are deleted and replaced to read as follows:

**903.1 - General.** Automatic sprinkler systems shall comply with this section.

**903.1.1 - Alternative protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

**903.2 - Where required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

**903.2.1 - New structures.** An automatic fire sprinkler system shall be provided in all new occupancies as defined in Chapter 3 of the California Building Code, regardless of type of construction and/or floor area, unless otherwise pre-empted by the California Health and Safety Code. Any occupancy not specifically mentioned shall be included in the group that it most nearly resembles based on the proposed life and fire hazard;

**Exceptions:**

1. Private garages, carports, sheds not more than 1,000 square feet (93 m<sup>2</sup>) of total floor area shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.
2. Sheds exceeding 1,000 square feet, (93 m<sup>2</sup>) but not exceeding 3,000 square feet (278 m<sup>2</sup>) shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates that the applicant's proposal does not increase the fire hazard or fire load.
3. Agricultural buildings as defined in Appendix Chapter C, of the California Building Code having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, not exceeding 25 feet (7620 mm) in height and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code.
  - a. Not exceeding 2,000 square feet (186 m<sup>2</sup>) or as exempted by the Fire Chief, shall not require fire sprinklers.
  - b. Exceeding 2,000 square feet (186 m<sup>2</sup>) but not exceeding 5,000 square feet, shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates the applicant's proposal does not increase the fire hazard or fire load.
  - c. Greenhouses of non-combustible construction shall not require fire sprinklers.
4. Group B and Group M Occupancies not more than 500 square feet (46.5 m<sup>2</sup>) shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code, Table 508.3.3.
5. For public school state-funded construction projects see CFC Section 903.2.19.

**903.2.1.4 - Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

**Exceptions:**

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing non-ambulatory clients above the first floor, and not housing clients above the second floor.
2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with section 425.8.3.3 of the California Building Code.
3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.
4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).  
When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

**903.2.1.5 - Group R-3 congregate residences.** An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 congregate living facilities with 16 or fewer residents.

**903.2.1.6 - Care facilities.** An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in care facilities with 5 or fewer individuals in a single-family dwelling.

**903.2.2 - Existing buildings and structures except for one- and two-family dwellings.** An automatic sprinkler system shall be installed in existing buildings and structures, except One- and Two-Family Dwellings, after the effective date of this code, when a building permit is issued to allow additions to be made, as follows:

1. For existing buildings less than 6,000 square feet in gross floor area when an addition to the building causes the structure to exceed 6,000 square feet, the entire structure shall be provided with an automatic sprinkler system.
2. For existing buildings larger than 6,000 square feet in gross floor area when an addition is equal to or greater than 10% of the existing square footage or when extensive renovation or remodeling is done to more than 50% of the gross floor area, the entire structure shall be provided with an automatic sprinkler system.

For the purposes of this section, extensive renovation or remodeling shall be defined as any change, addition or modification in construction or occupancy or structural repair or change in primary function to an existing structure made by, on behalf of or for the use of a public accommodation or commercial facility that affects or could affect the usability of the building or facility or part thereof. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions.

All new work performed in alterations and/or repairs to existing structures shall comply with the current provisions of this Chapter. When alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the external walls of a building, or result in the removal, modification, replacement and/or repair of fifty percent or more of the existing internal structural and/or non-structural framework, independently or in combination thereof, within a five year period, the entire building shall be made to conform to the current provisions of this chapter. The determination under this section of the requirement for upgrading any existing structure to full conformance with current provisions of this Chapter shall be at the sole discretion of the Fire Code Official.

**Exceptions to Section 903.2.2 (1 and 2)**

- (a) Group A-2 occupancies exceeding 5,000 square feet shall have an automatic sprinkler system installed.
- (b) Group A-5 occupancies exceeding 1,000 square feet in the following areas: concession stands, retail areas, press boxes and other accessory use areas shall have an automatic sprinkler system installed.
- (c) Assembly occupancies on roofs. Where an occupied roof has an assembly occupancy with an occupant load exceeding 100 for Group A-2 and 300 for other Group A occupancies, all floors between the occupied roof and the level of exit discharge shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.  
**Exception:** Open Parking garages of Type I or Type II construction.
- (d) Multiple fire areas of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components and the combined occupant load of these fire areas is 300 or more.
- (e) Group F-1 occupancies exceeding 2,500 square feet used for the manufacture of upholstered furniture or mattresses shall have an automatic sprinkler system installed.
- (f) Woodworking operations exceeding 2,500 square feet in area that generate finely divided combustible waste or use finely divided combustible materials. *[SFM] A fire wall of less than 4-hour fire-resistance rating without openings, or any fire wall with openings, shall not be used to establish separate fire areas.*
- (g) Group H occupancies shall be provided with an automatic sprinkler system.
- (h) Group I fire areas shall be provided with an automatic sprinkler system.



**Exceptions:**

- (1) Those areas exempted by Section 407.6 of the California Building Code.
  - (2) Group I-2 occupancies, or any alterations thereto, located in Type IA construction in existence on or before March 4, 1972 as required in California Health and Safety Code Section 13113(d).
    - (i) *Group I-2 occupancies. An existing, unsprinklered Group I-2, nurses' stations open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.*
    - (j) *Group I-3 Every building, or portion thereof, where inmates or persons are in custody or restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.*
    - (k) *Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.*
    - (l) *Group S-1 occupancies used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.*
    - (m) Group S-1 occupancies exceeding 2,500 square feet used for the storage of upholstered furniture or mattresses shall have an automatic sprinkler system installed.
    - (n) Group S-1 fire areas exceeding 5,000 square feet used for the repair of commercial motor vehicles.
    - (o) Structures where the area for the storage of tires exceeds 20,000 cubic feet shall be equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.
    - (p) Group U occupancies exceeding 1,000 square feet shall have an automatic sprinkler system installed. Group U occupancies not exceeding 1,000 square feet are exempt where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.
    - (q) Sheds exceeding 1,000 square feet but not exceeding 3,000 square feet shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates that the applicant's proposal does not increase the fire hazard or fire load.
    - (r) Agricultural buildings as defined in Appendix Chapter C, of the California Building Code having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, not exceeding 25 feet (7620 mm) in height and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code.
      - i. Not exceeding 2,000 square feet (186 m<sup>2</sup>) or as exempted by the fire chief, shall not require fire sprinklers.
      - ii. Exceeding 2,000 square feet (186 m<sup>2</sup>) but not exceeding 5,000 square feet, shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates the applicant's proposal does not increase the fire hazard or fire load.
      - iii. Greenhouses of non-combustible construction shall not require fire sprinklers.
- 3 Any alteration and/or repair within a building that contains an automatic fire sprinkler system requires that the automatic fire sprinkler system be extended/modified to the area of proposed work, thus, creating fire sprinkler protection throughout the entire building.
  4. Any change in use or occupancy creating a more hazardous fire/life safety condition, as determined by the Fire Chief, requires that the entire structure be provided with an automatic sprinkler system.

5. Any combination of addition, alteration, repair and/or change of use shall comply with Sections 903.2.11 through 903.6.

**Exceptions to Section 903.2.2:**

- (a) Seismic or Accessibility improvements.
- (b) Any exemption otherwise allowable under the Fire Code, if in the discretion of the Fire Chief, the safety of the public is not compromised.
- (c) Exterior improvements and work not requiring permits as provided in the Building Code.
- (d) Work requiring only a mechanical, electrical, plumbing and/or demolition permit.

**903.2.3 - Existing one- and two-family dwellings.** An automatic sprinkler system shall be installed in existing one- and two-family dwellings, after the effective date of this code, when a building permit is issued to allow additions to be made, as follows:

- 1. Any addition is made which increases the total existing square footage by 50% or more.
- 2. The proposed total floor area exceeds the available fire flow as specified in Section 507.1 or APPENDIX B.
- 3. Any addition to a one- or two-family dwelling that contains an automatic fire sprinkler system requires that the automatic fire sprinkler system be extended/modified to the area of proposed work, thus, creating fire sprinkler protection throughout the entire dwelling.

**Exceptions to Section 903.2.3:**

- (a) Additions of 500 square feet or less when the proposed total floor area does not exceed the available fire flow are exempt from fire sprinklers unless the dwelling is already protected by a fire sprinkler system.

**Section 903.3.1.3 is amended – NFPA 13D sprinkler systems.**

Section 903.3.1.3 of Chapter 9 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**903.3.1.3 - NFPA 13D sprinkler systems.** Automatic sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses, non-habitable structures classified as accessory to a residential use and not intended for commercial usage or mercantile, shall be permitted to be installed throughout in accordance with NFPA 13D and installation guidelines as promulgated by the Santa Cruz County Fire Chiefs Association.

**Section 903.3.7 is amended – Fire department connections.**

Section 903.3.7 of Chapter 9 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**903.3.7 - Fire department connections.** Fire department connections for automatic sprinkler systems shall be installed in accordance with Section 912. Buildings equipped with a fire sprinkler system in accordance with this chapter shall have a fire department connection located within 100 feet (183m). The location of the fire department connections shall be approved by the fire code official.

**Exception:** Single- and two-family dwellings protected by a fire sprinkler system in accordance with Section 903.3.1.3.

**Section 1201.4 is added – Alternate power sources.**

Section 1201.4 of Chapter 12 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**1201.4 - Alternate power sources.** All permanent installations of electrical generators, wind generators, solar photovoltaic cells, or other power sources shall be approved by the building code official. In addition to all applicable provisions of Title 24 CCR for any such installation, a sign reading:

“WARNING – This premise is provided with an Alternate Power Source. Disconnection of commercial power may not disable the electrical power source”

shall be permanently affixed. Sign shall be red in color with a minimum of 1/2" tall contrasting lettering and shall be permanently affixed on each electrical panel subject to back-feed from alternate power sources. Any and all power disabling switches shall be clearly labeled.

**Section 3905.1.3 is amended – Operation**

Section 3905.1.3 of Chapter 39 of the Aptos La Selva Fire Protection District is amended to read as follows:

**3905.1.3 – Operation.** Activation of the gas detection system shall result in all of the following:

1. Initiation of distinct audible and visual alarm signals in extraction room.
2. Deactivation of all heating systems located in the extraction room.
3. Activation of the mechanical ventilation system, where the system is interlocked with gas detection.
4. For detection levels at or exceeding 25% of the LEL/LFL shall result in the activation of the building's fire alarm system.

**Section 5303.5.3 is amended – Securing compressed gas containers, cylinders and tanks.**

Section 5303.5.3 of Chapter 53 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**5303.5.3 - Securing compressed gas containers, cylinders and tanks.** Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods:

1. Securing containers, cylinders and tanks to a fixed object with two or more non-combustible restraints. The object used to anchor the restraint to shall be capable of withstanding the anticipated load(s) imposed. Anchor(s) shall be attached to a structural framing member or similar.
2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks.
3. Nesting of compressed gas containers, cylinders and tanks at container filling or servicing facilities or in seller's warehouses not accessible to the public. Nesting shall be allowed provided the nested containers, cylinders or tanks, if dislodged, do not obstruct the required means of egress.
4. Securing of compressed gas containers, cylinders and tanks to or within a rack, framework, cabinet or similar assembly designed for such use.

**Exception:** Compressed gas containers, cylinders and tanks in the process of examination, filling, transport or servicing.

**CHAPTER 56 is amended - EXPLOSIVES AND FIREWORKS.**

Chapter 56 of the Fire Code of the Aptos La Selva Fire Protection District is amended to read as follows:

**5601.1.3 – Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the Aptos La Selva Fire Protection District.

**Exception:** The use of fireworks for fireworks displays, pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.

**5601.2 – Permit required.** Permits shall be required as set forth in 105.6 and regulated in accordance with this Chapter. Permits for explosives as contained within this chapter, with the exception of display fireworks, shall be obtained by the Law Enforcement Agency of Jurisdiction.

**5601.2.2 - Sale and retail display.** Persons shall not construct a retail display nor offer for sale explosives, explosive materials or fireworks.

**CHAPTER 90 is added – SUPPRESSION AND CONTROL OF FIRE IN WILDFIRE RISK AREAS.**

Chapter 90 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**9001 - SCOPE.** The unrestricted use of grass-, grain-, brush- or forest-covered land in wildfire risk areas is a potential menace to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities shall be in accordance with Chapter 90.

**9002 - RESTRICTED ENTRY.** The fire code official shall determine and publicly announce when wildfire risk areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildfire risk areas, except public roadways, inhabited areas or established trails and camp sites which have not been closed during such time when the wildfire risk area is closed to entry, is prohibited.

**Exceptions:**

1. Residents and owners of private property within wildfire risk areas and their invitees and guests going to or being upon their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

**9003 - TRESPASSING ON POSTED PROPERTY.**

**9003.1 - General.** When the fire code official determines that a specific area within a wildfire risk area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

**9003.2 - Signs.** Approved signs prohibiting entry by unauthorized persons and referring to §9002 shall be placed on every closed area.

**9003.3 - Trespassing.** Entering and remaining within areas closed and posted is prohibited.

**Exception:** Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

**9004 - USE OF FIRE ROADS AND FIREBREAKS.** Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

**Exception:** Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or firebreaks unless located 16 feet (4877 mm) or more above such fire road or firebreak.

**9005 - USE OF MOTORCYCLES, MOTOR SCOOTERS AND MOTOR VEHICLES.** Motorcycles, motor scooters and motor vehicles shall not be operated within wildfire risk areas, without a permit by the fire code official, except upon clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

**9006 - LIABILITY FOR DAMAGE.** The expenses of fighting fires which result from a violation of this chapter shall be a charge against the person whose violation caused the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the fire code official in the same manner as in the case of an obligation under a contract, expressed or implied.

**Chapter 95 is added – Installation of automatic detection systems.**

Chapter 95 of the Fire Code of the Aptos La Selva Fire Protection District is added to read as follows:

**9501 – REQUIRED INSTALLATIONS.** In addition to the requirements contained in section 907 of this code, an automatic fire detection system shall be installed as within.

**9501.1 Non-Residential Occupancies.** Every building not constructed for residential use as defined in Chapter 3 of the California Building Code, shall have installed therein fire detection and alarm system meeting the requirements of the most recent edition of the national Fire Alarm Code (NFPA 72) in existence at the time of application to install.

Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved alarm monitoring station as defined in NFPA 72.

When required by the fire code official, the fire alarm system shall be connected to a “UL” approved central monitoring station company. All installations shall have the prior approval of the fire code official and meet the installation requirements set forth in sections 901.2 through 901.6.

EXCEPTION: A fire detection system need not be provided in buildings which are protected throughout by an approved, supervised fire sprinkler system conforming to this code and which has a local alarm to notify all occupants, provided that the building is not required to have both fire suppression and fire detection installed per the California Building Code or other provisions contained within this code.

**PART 3**

The geographic limits referred to in certain sections of the Fire Code of the Aptos La Selva Fire Protection District are hereby established as follows:

**Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited.** The limits referred to in Sections 5704.2.9.6.1 and 5706.2.4.4 of the Fire Code of the Aptos La Selva Fire Protection District in which the storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is restricted are hereby established as the incorporated area of the political boundary of the Aptos La Selva Fire Protection District.

**Exceptions:** Such use is allowed in the following zoning districts:

1. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in A or A-1 Zones;
2. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in M-1, M-2 or M-3 Zones;
3. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in NR Zones.

**Establishment of limits of districts in which storage of flammable cryogenic fluids in stationary containers is to be prohibited.** The limits referred to in Section 5806.2 of the Fire Code of the Aptos La Selva Fire Protection District in which storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as the political boundary of the Aptos La Selva Fire Protection District.

**Exceptions:**

1. The storage of flammable cryogenic fluids in stationary containers is allowed in an M-2 Zone with a Conditional Use Permit issued by the Planning Department.
2. The storage of flammable cryogenic fluids in stationary containers is allowed in an M-3 Zone.

**Establishment of limits for storage of Liquefied Petroleum Gas.** The limits referred to in Section 6104.2 of the Fire Code of the Aptos La Selva Fire Protection District are hereby limited to a maximum of 2,000 gallons water capacity within the political boundary of the Aptos La Selva Fire Protection District.

**PART 4**

Ordinance No. 2019-01 of the Aptos La Selva Fire Protection District entitled “2019 Fire Code”, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**PART 5**

That 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 Board of Directors of the Aptos La Selva Fire Protection District hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**PART 6**

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Part 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**PART 7**

That the Fire Chief of the Aptos La Selva Fire Protection District is hereby ordered and directed to cause a notice of this ordinance to be published in a newspaper in general circulation in accordance with Section 6066 of the California Government Code.

**PART 8**

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2020 pursuant to Health and Safety Code Section 18941.5. This Ordinance shall remain in full force and effect until a subsequent superseding ordinance becomes effective.

**PASSED AND ADOPTED** this 10th day of October, 2019 by the Board of Directors of the Aptos La Selva Fire Protection District by the following vote:

**YES:** \_\_\_\_\_  
**NOES:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_  
**ABSTAIN:** \_\_\_\_\_

\_\_\_\_\_  
President of the Board of Directors

**ATTEST:**

\_\_\_\_\_  
Secretary of Said Board

**APPROVED AS TO FORM:**

\_\_\_\_\_  
District Council

DISTRIBUTION: Board of Supervisors

**RATIFIED** \_\_\_\_\_

**DENIED** \_\_\_\_\_

**MODIFIED** \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the Board of Supervisors of the County of Santa Cruz  
by the following vote:

**AYES:** \_\_\_\_\_ SUPERVISORS

**NOES:** \_\_\_\_\_ SUPERVISORS

**ABSENT:** \_\_\_\_\_ SUPERVISORS

**ABSTAIN:** \_\_\_\_\_ SUPERVISORS

\_\_\_\_\_  
Chairperson of the Board of Supervisors

**ATTEST:**

\_\_\_\_\_  
Clerk of the Board

**DISTRIBUTION:** County Administrative Office  
County Counsel  
Planning Department  
General Services Department/O.E.S.  
State of California Housing & Community Development  
Office of the California State Fire Marshal