ORDINANCE 30-2023

ADOPTION OF THE 2022 CALIFORNIA FIRE CODE AND AMENDMENTS

An Ordinance of the Barstow Fire Protection District adopting the 2022 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 Barstow Fire Protection District; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 29-19 of the Barstow Fire Protection District and all other ordinances and parts of the ordinances in conflict therewith.

The Barstow Fire Protection District does ordain as follows:

Section 1. Adoption of California Fire Code.

A. Subject to the amendments set forth herein, the District hereby adopts by this reference the California Fire Code, 2022 Edition (Part 9, Title 24, California Code of Regulations), including appendices A-G, as the fire code for the District.
B. At least one copy of the California Fire Code shall remain on file in the office of the Fire Marshal.

Section 2. Geographic Limits. The geographic limits referred to in the California Fire Code are hereby established as follows:

Chapter 57 - Section 5704.2.9.6.1 Storage of Class I and Class II liquids in above- ground tanks outside of buildings is prohibited within the limits of the Barstow Fire Protection District without an approved fire protection system or otherwise approved by the Chief.

Chapter 57 - Section 5706.2.4.4 Storage of Class I and Class II liquids in above-ground tanks is prohibited within the limits of the Barstow Fire Protection District without an approved fire protection system or otherwise approved by the Chief.

Chapter 58 - Section 5806.2 Storage of flammable cryogenic fluids in stationary containers is prohibited within the limits of the Barstow Fire Protection District without an approved fire protection system or otherwise approved by the Chief.

Chapter 61 - Section 6104.2 The storage of liquefied petroleum gas and liquefied natural gas is restricted for the protection of heavily populated or congested areas. LP/LNG Gas storage shall not be allowed within the boundaries of the Barstow Fire

Protection District in storage tanks exceeding 2000 US liquid gallons and shall be further restricted to areas zoned commercial or industrial property and further restricted from residential property not to exceed 1000 US liquid gallons. All systems exceeding the maximum amounts must be approved with a fire protection system or otherwise approved by the Chief.

Section 3. Amendments to Fire Code. The California Fire Code is amended as follows:

ADMINISTRATIVE PROVISIONS OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 103
DEPARTMENT OF FIRE PREVENTION

103.4 Other officers. The following persons are hereby authorized, during the course of their official duties, to enforce the provisions of this code and to make arrests and issue citations as authorized by law:

1. The San Bernardino County Sheriff and any Deputy Sheriff

2. The Barstow Police Department

3. Officers of the United States Forest Service

4. The State Forest Ranger and Peace Officers of the California Department of Forestry and Fire Protection

5. Officers of the California Highway Patrol

6. Law enforcement and authorized members of fire agencies operating under automatic or mutual aid agreements within the boundaries of the Barstow Fire Protection District

7. City of Barstow Building Department Inspectors

THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 104
GENERAL AUTHORITY AND RESPONSIBILITIES

104.11 Fire investigations. The fire code official or his or her designee may investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition if it appears to the fire code official or designee that a fire is of suspicious origin. The fire

code official or his or her designee is authorized to take charge of all physical evidence relating to the cause of the fire and is authorized to pursue the investigation to its conclusion. Fire investigators shall have the powers of a police officer in performing their duties under California Penal Code section 830.37 and this code." Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.

104.13 Cost recovery. Fire suppression, investigation, rescue, and emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1. Any person who negligently or intentionally, or in violation of law, causes an emergency response, including but not limited to a traffic accident or spill of toxic or flammable liquids or chemicals, is liable for the costs of securing such emergency, including those costs set out in Government Code Section 53150 et seq. Any expense incurred by the District for securing such an emergency situation shall constitute a debt of such person and shall be collectible by the District in the same manner as in the case of an obligation under contract, expressed or implied.

Fire inspection costs are recoverable under provisions of state codes and regulations and in accordance with the District's most current fee schedule.

THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 105 PERMITS

105.4.1 Non-payment of permit fee. The fire code official is authorized to revoke a permit issued under the provisions of this code when the permittee fails to pay permit fees in accordance with the terms of the Permit Application or when a check submitted for payment of the permit fee(s) is returned or declined.

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Section 105.5.1 through 105.5.54

THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 112 VIOLATIONS

112.3.3 Prosecution of violations. If the notice of violation is not complied with promptly, the fire code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

In addition to, or in place of, any other remedy which is allowed by law, administrative penalties may be imposed in connection with any violation of this code or District ordinance.

112.4 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 directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than $1,000 or by imprisonment not exceeding six months, or both such fine and imprisonment. The fire code official, with the concurrence of the chief and the district attorney, is authorized to use administrative citations and fines as allowed by an ordinance of the Board of Directors in place of the violation penalties contained in this section. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

In addition to, or in place of, the foregoing penalties, administrative penalties pursuant to the District's Administrative Citation process may be imposed in connection with any violation of this code or any District ordinance. Any person violating or who has violated any section of this code or District ordinance may be issued an administrative citation in accordance with the Administrative Citation process under California State Penal Code 830.1.

THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 113 STOP WORK ORDER

113. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to violation penalties as specified in Section 112.4 Each day that work continues in violation of a stop work order shall be deemed a separate offense.

CHAPTER 2 DEFINITIONS
Adopt entire CFC chapter with amendments contained herein

Definitions. This section of the California Fire Code is hereby amended by adding the following:

a. Wherever the word "**Jurisdiction**" is used in the Fire Code, it is the Barstow Fire Protection District.

b. Wherever the words "**Board of Directors**" are used, it is the Board of Directors of the Barstow Fire Protection District.

c. Wherever the word "**District**" is used, it is the Barstow Fire Protection District.

d. Wherever the word "**Chief**" is used, it is the Fire Chief of the Barstow Fire Protection District or his/her designated representative.

CHAPTER 3
GENERAL PRECAUTIONS AGAINST FIRE
Adopt entire CFC chapter with amendments contained herein

CHAPTER 3 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 301
GENERAL

301.2 Permits. Permits shall be required as set forth in Section 105.5 and 105.6

CHAPTER 3 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 305

305.6 Spark Arresters. Each chimney used in conjunction with a fireplace or other heating appliance, in which solid or liquid fuel is used, shall be maintained with an approved spark arrester. The spark arrester shall be constructed of 24 gauge stainless steel, 12 gauge copper or brass, or 19 gauge woven galvanized wire mesh, or of materials with equivalent heat and corrosion resistance. Openings in the arrester screen shall not permit the passage of spheres of one-half inch maximum and shall not block the passage of spheres three-eighths inch minimum. The screen shall be mounted in or over all outside flue openings in a vertical and near vertical position, adequately supported to prevent movement and visible from the ground.

CHAPTER 3 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 308
OPEN FLAMES

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on balconies or within 10 feet (3048 mm) of combustible construction.

CHAPTER 3 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING: SECTION 309 POWERED INDUSTRIAL TRUCKS AND EQUIPMENT

309.1 General. Powered industrial trucks, electric carts/cars, and similar equipment including, but not limited to, floor scrubbers and floor buffers, shall be operated and maintained in accordance with Sections 309.2-309.7 Permits shall be required as set forth in Chapter 1, Section 105.5 for the storage and use of LP-gas and for a Battery Charger Operation.

CHAPTER 3 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING: SECTION 324 STORAGE OF IDLE PALLETS

324 General. Storage of idle pallets shall be in accordance with this section. A permit shall be obtained in accordance with Chapter 1, Section 105.5

324.1 Storage location. Idle pallets shall be stored outside or in a separate building designed for pallet storage unless stored indoors in accordance with Section 324.2

324.2 Indoor storage. Idle pallet storage shall be permitted in a building used for other storage or other purpose when arranged and protected in accordance with NFPA 13 unless the following conditions are met:

1. Pallets are stored no more than 6 feet in height.

2. Pallet piles are limited to 500 square feet or 200 cubic feet. Individual piles shall be separated from other piles by a clear space of not less than 8 feet and separated from commodities by a clear space of not less than 25 feet.

3. The aggregate volume of pallets does not exceed 2,500 cubic feet per fire area.

4. Storage is in accordance with Section 5704.3.3.9 as amended where applicable.

324.3 Outdoor storage. Idle pallets stored outside shall be stored in accordance with Tables 324.1 and 324.4.2 and Section 316.6.

324.4 Outdoor pile dimensions. Idle pallet stacks shall not exceed 15 feet in height nor shall cover an area greater than 500 square feet. Pallet stacks shall be arranged to form stable piles. Piles shall be separated by a minimum of 8 feet. Piles shall be a minimum of 10 feet from property lines.

Table 324.1

Required Clearance Between Outside Idle Pallet Storage and Other Yard Storage	
Pile Size	**Minimum Distance (ft)**
Under 50 pallets	20
50-200 pallets	30
Over 200 pallets	50

Table 324.2

Required Clearance Between Outside Idle Pallet Storage and Structures			
	Minimum Distance of Wall from Storage (ft)		
Wall Construction	Under 50 Pallets	50 to 200 Pallets	Over 200 Pallets
Masonry with no openings	0	0	15
Masonry with wired glass in openings, outside sprinklers, and 1-hour doors	0	10	20
Masonry with wired or plain glass, outside sprinklers, and 3/4-hour doors	10	20	30
Wood or metal with outside sprinklers	10	20	30
Wood, metal, other	20	30	50

CHAPTER 3 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING: SECTION 325 WRECKING YARDS AND JUNK YARDS

325 General. Automobile wrecking yards and junk yards shall be in accordance with this section. A permit shall be obtained in accordance with Chapter 1, Section 105.5

325.1 Fire apparatus access roads. Fire apparatus access roads shall be provided and maintained in accordance with Section 503.

325.2 Welding and other hot work. Welding and other hot work shall be in accordance with Chapter 35.

325.3 Combustible waste material. Combustible waste material and combustible vegetation shall be stored, arranged, and maintained in accordance with Section 304.

325.4 Tires, motor vehicle fluids, hazardous materials, and lead-acid batteries. The storage, use, and handling of tires, motor vehicle fluids, and hazardous materials shall be in accordance with this section

325.4.1 Motor vehicle fluids. The storage, use, and handling of motor vehicle fluids shall be in accordance with this section and Chapters 50 and 57.

325.4.2 Leaking Fluids. Motor vehicle fluids shall be drained from salvage vehicles when such fluids are leaking. Supplies or equipment capable of mitigating leaks from fuel tanks, crankcases, brake systems, and transmissions shall be kept available on site. Single-use plugging, diking, and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner approved by applicable state regulations.

325.4.3 Lead-acid batteries. Lead-acid batteries shall be removed from salvage vehicles and stored in an approved manner.

325.4.4 Air bag systems. Air bag systems shall be handled as a hazardous material in accordance with Chapter 50 and other applicable state regulations.

325.5 Burning operations. Burning operations shall be in accordance with state air quality and other applicable regulations.

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS
Adopt entire CFC chapter with amendments contained herein

CHAPTER 4 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 403
PUBLIC ASSEMBLAGES AND EVENTS

403.11.1 Fire Watch personnel. When, 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; the nature of the performance, exhibition, display, contest or activity; or the presence of open burning, open flames, or fireworks, the owner, agent or lessee shall provide one or more qualified standby personnel, as required and approved by the fire code official, to remain on duty during the times such places are open to the public, or when such activity is being conducted. Standby personnel shall be in a uniform or be otherwise readily identifiable and distinguishable. Standby personnel shall remain on duty during the times such places are open to the public or when such activity is being conducted, until relieved of such duty by another person who meets the qualifications of this section, or until released from duty by the fire code official.

403.11.1.2 Duties. Standby personnel shall keep diligent watch for fires, obstructions to means of egress and other hazards during the time such place is open to the public or such activity is being conducted and take prompt measures for remediation of hazards, extinguishment of fires that occur and assist in the evacuation of the public from the structures.

403.11.2 Public safety plan. In other than Group A or E occupancies, where the fire code official determines that an indoor or outdoor gathering of persons could have an adverse impact on public safety through diminished access to buildings, structures, fire hydrants, fire apparatus access roads, persons in need of emergency medical care, unrestricted access to the public way, and/or similar risks to general public safety or where such gatherings could adversely affect public safety services of any kind, the fire code official shall have the authority to order the development of, or prescribe a plan for, the provision of an approved level of public safety. The public safety plan, where required by Section 403.11.2, shall address such items as emergency vehicle ingress and egress, fire protection, emergency medical services, emergency egress, public assembly areas and the directing of both attendees and vehicles (including the parking of vehicles), vendor and food concession distribution, and the need for the presence of law enforcement, fire, and emergency medical services personnel at the event.

CHAPTER 4 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING:
SECTION 408
USE AND OCCUPANCY-RELATED REQUIREMENTS

408.1 Group E occupancies and Group R-2 college and university buildings. Group E occupancies shall comply with the requirements of Sections 408.1 through

408.3, Sections 401 through 403, and Title 19 CCR and the Education Code. Group R-2 college and university buildings shall comply with the requirements of Sections 408.3 and Sections 401 through 403.

408.2 Emergency guide. A fire emergency guide that complies with Barstow Fire Protection District Standards shall be provided.

408.3 Maintenance. Emergency guides shall be reviewed by the owner, owner's association, and/or the manager at least annually and approved in accordance with Section 401.2.

CHAPTER 5
FIRE SERVICE FEATURES
Adopt entire CFC chapter with amendments contained herein

CHAPTER 5 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING: SECTION 503 FIRE APPARATUS ACCESS ROADS

503.1.1.2 Buildings four or more stories in height. Fire apparatus access lanes shall be provided on at least two sides of all buildings and shall extend from 15 feet to 50 feet horizontally from exterior walls and shall be free from vertical obstructions.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Additional access shall be in accordance with Barstow Fire Protection District Standards and Appendix D of the 2022 California Fire Code.

503.2 Specifications. Fire apparatus access roads shall be designed, engineered, installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Barstow Fire Protection District Standards, BAR3.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 14 feet 6 inches. Street widths are to be measured from top face of curb to top face of curb on streets with curb and gutter, and from flow line to flow line on streets with rolled curbs. All buildings four stories or greater shall have a fire apparatus access road of not less than 36 feet. When, in the opinion of the Fire Marshal or Building Official, the design, construction or processes of the building are of such a nature as to create unreasonable fire life safety conditions, the width may be increased. In some situations where adequate access can be provide in the opinion of the Fire Marshal, access can be reduce back to 26 feet.

Exceptions:

1. Approved gates in accordance with Section 503.5 and 503.6.

2. Roadways at entry medians constructed for private commercial, industrial, or residential developments shall be a minimum of 20 feet on each side. The roadway shall not be part of a radius turn. This exception does not apply to public streets.

3. Dimensions may be reduced when in the opinion of the fire code official there are practical difficulties with providing the required dimensions.

4. Dimensions may be increased when in the opinion of the fire code official required dimensions are not adequate to provide fire apparatus access.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities. Permanent fire apparatus access roads utilizing surface material other than concrete or asphalt (alternative materials) shall be in accordance with Standard BAR 3 and approved by the fire code official.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be in accordance with Barstow Fire Protection District Standards, BAR3.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus in accordance with Barstow Fire Protection District Standard, BAR3.

503.2.7 Grade. The grade of the fire apparatus access road shall in accordance with Barstow Fire Protection District Standard, BAR3.

503.2.9 Identification. Identification of fire apparatus access roads shall be in accordance with Barstow Fire Protection District Standard, BAR3.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Fire apparatus access road marking shall be in accordance with Barstow Fire Protection District Standard, BAR3.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Water run-off and flood control dips, speed bumps, traffic calming devices, or other surface irregularity shall be in accordance with Barstow Fire Protection District Standard, BAR3.

503.6 Security gates. The installation of security gates across a fire apparatus access

road shall be approved by the fire chief. Where security gates are installed, they shall have approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Residential vehicular gates shall be in accordance with Barstow Fire Protection District Standard, BAR3. Commercial and industrial vehicular gates shall be in accordance with Barstow Fire Protection District Standard, BAR3.

503.7 Aerial fire apparatus access roads. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus.

503.7.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 36 feet, or 26 feet determinable by the Fire Code Official. Overhead utility and power lines and other vertical obstructions shall not be located within the aerial fire apparatus access roadway.

503.7.2 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

CHAPTER 5 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING: SECTION 504 ACCESS TO BUILDING OPENINGS AND ROOFS

504.1.1 Access identification. Required exterior access doors, including exit doors, in the warehouse or manufacturing areas of any building with a gross floor area greater than 10,000 square feet shall be marked in accordance with Barstow Fire Protection District Standard to allow for quick identification by firefighters both inside and outside of the building in accordance with Barstow Fire Protection District Standard, BAR4.

504.4 Fire apparatus aerial ladder access to roof. Fire apparatus aerial ladder access to the roof shall be in accordance with Barstow Fire Protection District Standard, BAR4.

CHAPTER 5 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 505 PREMISES IDENTIFICATION

505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background and shall be illuminated internally or externally from two sources. Address numbers shall be Arabic numerals or alphabet letters. Addressing of multi-family residential buildings shall be in accordance with Barstow Fire Protection

District Standard, BAR4. Addressing of commercial and industrial buildings shall be in accordance with Barstow Fire Protection District Standard, BAR4. For all other buildings, numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Acceptable dimensions of address numbers and letters will be determined by the fire code official in accordance with Barstow Fire Protection District Standard, BAR4, to ensure adequate visibility.

CHAPTER 5 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 506
KEY BOXES

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys and/or other devices/information such as electronic card keys or access codes to gain necessary access as required by the fire code official. Key boxes shall be in accordance with Barstow Fire Protection District Standard, BAR6.

CHAPTER 5 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 507
FIRE PROTECTION WATER SUPPLIES

507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. The approved water supply shall be in accordance with this section and Barstow Fire Protection District Standards, BAR7 & BAR8.

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall in accordance with Barstow Fire Protection District Standard, BAR8.

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C or an approved method Barstow Fire Protection District Standard, BAR9.

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exception:

For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement can be increased by the fire code official.

CHAPTER 5 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING:
SECTION 509
FIRE ACCESS TO EQUIPMENT

509.3 Multi-tenant or multi-unit buildings. When an automatic fire sprinkler system or systems or a fire alarm system or systems are installed in buildings constructed for multiple tenants and/or units and the installed systems protect multiple tenant spaces or units, the fire sprinkler riser(s), fire alarm control unit, and all other related valves, gauges, and/or controls for such systems shall be located in an attached or included room or approved weather resistant enclosure with an exterior access door of not less than 3'-0" by 6'-8".

CHAPTER 5 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING:
SECTION 511
HAZARDS TO FIREFIGHTERS

511.1 Fog or smoke emitting systems. No alarm system shall be installed in any building or portion of a building which, as a part of its operation discharges any gas, vapor, liquid, smoke, or other product when the primary intent of system discharge is to obscure the vision of any person, cause disorientation, or incapacitate any person within the building or portion thereof. Nothing in this section is intended to preclude the connection of an alarm system to any fire suppression system.

CHAPTER 5 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING:
SECTION 512
SITE PLANS

512.1 General. The owner of or person responsible for a building or facility shall provide the fire code official with a site plan in accordance with Barstow Fire Protection District Standard. The owner or responsible person shall provide an updated site plan to the fire code official when any element of the site plan changes in accordance with Barstow Fire Protection District Standard, BAR10.

CHAPTER 6
BUILDING SERVICES AND SYSTEMS
Adopt entire CFC chapter with amendments contained herein

CHAPTER 6 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING:
SECTION 605

ELECTRICAL EQUIPMENT, WIRING, AND HAZARDS

605.10.3 Electric heating equipment. Electric heating equipment shall comply with Sections 605.10.5 through 605.10.8.

605.10.5 Listed and labeled. Only listed and labeled electric heating equipment shall be used.

605.10.6 Power supply. The power supply for electric heating equipment shall be in accordance with the *California Electrical Code*.

605.10.7 Installation and maintenance. Electric heating equipment shall be installed and maintained in accordance with the manufacturer's instructions, the *California Building Code*, the *California Mechanical Code*, and the *California Electrical Code*.

605.10.8 Guard against contact. The heating element shall be permanently guarded so as to prevent accidental contact by persons or material.

CHAPTER 6 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 606
MECHANICAL REFRIGERATION

605.8 Refrigerant Detector. Machinery rooms shall contain a refrigerant detector with an audible and visual alarm. The detector, or a sampling tube that draws air to the detector, shall be located in an area where refrigerant from a leak will concentrate. The alarm shall be actuated at a value not greater than the corresponding TLV-TWA values shown in the *California Mechanical Code* for the refrigerant classification. Detectors and alarms shall be placed in approved locations. In addition, emergency shutoff shall also be automatically activated when the concentration of refrigerant vapor exceeds 25 percent of LFL.

606.10.1.2 Manual Operation. When required by the fire code official, automatic crossover valves shall be capable of manual operation. The manual valves shall be located in an approved location immediately outside of the machinery room, in a secure metal box and marked as Emergency Controls.

CHAPTER 6 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 607
COMMERCIAL COOKING OPERATIONS

607.8 General. Commercial cooking operations, commercial cooking appliances, and commercial kitchen exhaust hoods shall comply with the requirements of this section, the *California Mechanical Code*, and NFPA 96.

CHAPTER 9
FIRE PROTECTION SYSTEMS
Adopt entire CFC chapter with amendments contained herein
CHAPTER 9 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 901
GENERAL

901.4.2.1 Non-required fire protection systems (Partially Protected Structures). Notwithstanding any other provisions of this code or specific exemptions, no building or structure shall be partially furnished with a new fire protection system.

Exemptions:

1. Existing structures or buildings currently not protected when the only fire protection system being installed is part of a type I commercial cooking hood and duct system, other than an automatic sprinkler system, or any other system required by Table 903.2.11.6

901.7 Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. A fire watch shall be in accordance with Barstow Fire Protection District Standard, BAR13.

901.8 Removal of or tampering with equipment. It shall be unlawful for any person to remove, tamper with, intentionally damage or destroy, or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system, fire appliances required by this code, or other appurtenances installed as components of a fire protection system except for the purpose of extinguishing fire, training purposes, recharging or making necessary repairs, or when approved by the fire code official. The fire code official is authorized to approve means for preventing and deterring the unlawful removal of and/or tampering with fire protection equipment.

CHAPTER 9 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 903
AUTOMATIC SPRINKLER SYSTEMS

903.2 Where required. Approved automatic sprinkler systems shall be provided:

1. In new buildings and structures when the gross floor area exceeds 5,000 square feet, under contiguous roof with structure and walls, regardless of the use of firewalls.

2. In new buildings and structures when the combined gross floor area exceeds 2,500 square feet with an additional story above ground level or below grade.

3. In existing buildings and structures when an alteration or remodel exceeds 50% of the gross floor area of the existing building, regardless of the use of firewalls.

4. In existing buildings and structures less than 5,000 square feet where an addition results in the gross floor area of the building exceeding 5,000 square feet, regardless of the use of firewalls.

5. In existing buildings and structures 5,000 square feet or greater that are approved for an addition to the building, regardless of the use of firewalls

6. In existing buildings and structures where a change in the use results in a more hazardous occupancy classification,

7. In existing buildings and structures 5,000 square feet or greater without sprinkler protection upon change of occupancy classification, or issuance of a new certificate of occupancy.

8. In new buildings and structures classified as apartment complexes having three units or more or when units of two dwelling units are constructed on the same property – in all congruent residences classified as boarding houses – residential occupancies – fraternity/sorority houses or the like with an occupant load of 10 or more.

9. In the locations described in this section.

Exceptions:

1. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fire-resistance-rated floor/ceiling assemblies when approved by the fire code official.

2. *Automatic fire sprinkler protection for fixed guide way transit systems shall be as per Section 903.2.17.*

3. Group E occupancies shall be in accordance with Section 903.2.3.

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3, and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors between the Group A occupancy and the level of exit discharge. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area has an occupant load of 300 or more;

2. The fire area is located on a floor other than the level of exit discharge; or

3. The fire area contains a multi-theater complex.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The fire area is 5,000 square feet (465 m2) or greater;

2. The fire area has an occupant load of 100 or more; or

3. The fire area is located on a floor other than the level of exit discharge.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area has an occupant load of 300 or more; or

2. The fire area is located on a floor other than the level of exit discharge.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area has an occupant load of 300 or more; or

2. The fire area is located on a floor other than the level of exit discharge.

903.2.1.5 Group A-5. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use areas.

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 5,000 square feet (2230 m2) in area.

2. Throughout every portion of educational buildings below the level of exit discharge.

Exception: An automatic sprinkler system is not required in any fire area or area below the level of exit discharge where every classroom throughout the building has at least one exterior exit door at ground level.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing Group F- 1 occupancy where one of the following conditions exists:

1. Where a Group F-1 fire area is located more than three stories above grade plane; or

2. Where the combined area of all Group F-1 fire areas on all floors, including any mezzanines, is 5,000 square feet (2230 m2) or greater.

903.2.4.1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area (232m2) which generate finely divided combustible waste or which use finely divided combustible materials.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing Group M occupancy where one of the following conditions exists:

1. Where a Group M fire area is located more than two stories above grade plane; or

2. Where the combined area of all Group M fire areas on all floors, including any mezzanines, is 5,000 square feet (2230 m2) or greater.

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area is located more than two stories above grade plane; or

2. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, is 5,000 square feet (2230 m^2) or greater.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with the *California Building Code*, as follows:

1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage that is 5,000 square feet (929 m^2) or greater.

2. One-story buildings with a fire area containing a repair garage exceeding 5,000 square feet (2230 m2).

3. Buildings with a repair garage servicing vehicles parked in the basement.

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area is 5,000 square feet (464 m^2) or greater.

903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units protected by automatic sprinkler systems. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

903.3.1.2.3 Attic spaces. A single intermediate temperature sprinkler shall be installed in each attic. Sprinklers shall be installed at the rate of one (1) head per 1,000 square feet or portion thereof of attic space.

903.3.1.2.3.1 Apparatus access mitigation. Where fire apparatus access exceeds 150 feet, sprinkler protection shall be provided for all bathrooms and closets in addition to all other sprinkler protection requirements of Section 903.3.1.1.2

903.4 Sprinkler system monitoring and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings protected by an NFPA 13D system with less than 100 sprinklers.

2. Limited area systems serving fewer than 20 sprinklers.

3. Jockey pump control valves that are sealed or locked in the open position.

4. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.

5. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in all multi-story buildings.

CHAPTER 9 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS

904.2.2 Commercial hood and duct systems. Each required commercial kitchen exhaust hood and duct system required by Section 609 to have a Type I hood shall be protected with an approved automatic fire-extinguishing system installed in accordance with this code, manufacturer's specifications, and NFPA 17 and NFPA 96.

CHAPTER 9 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 905 STANDPIPE SYSTEMS

905.4 Location of Class I standpipe hose connections. Class I standpipe hose connections shall be provided in all of the following locations in accordance with this section and Barstow Fire Protection District Standard, BAR15.

1. In every required stairway, a hose connection shall be provided for each floor level above or below grade. Hose connections shall be located at an intermediate floor level landing between floors, unless otherwise approved by the fire code official.

2. On each side of the wall adjacent to the exit opening of a horizontal exit.

Exception: Where floor areas adjacent to a horizontal exit are reachable from exit stairway hose connections by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30480 mm) of hose, a hose connection shall not be required at the horizontal exit.

3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall.

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a hose connection located either on the roof or at the highest landing of a stairway with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.

6. Where the most remote portion of a floor or story is more than 150 feet (45,720 mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.

7. Every new building with any horizontal dimensions greater than 300 feet shall be provided with access doors and a Class I standpipe so that all portions of the building can be reached with 150 feet of hose from an access door or hose connection. Required access doors shall be located in the exterior walls of the building and shall be accessible without the use of a ladder. The door dimensions shall be not less than 3 feet in width and not less than 6 feet 8 inches in height.

CHAPTER 9 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

907.1 General. This section covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 are applicable to new buildings and structures. The requirements of Section 907.9 are applicable to existing buildings and structures. Fire alarm and detection systems, remote annunciation, reset and silence procedures, listing certification, monitoring, notification appliances, equipment disconnect interfaces, and a posted zone map in new and existing buildings shall be in accordance with Barstow Fire Protection District Standard, 11.

907.2.9 Group R-2. A manual fire alarm system shall be installed in Group R-2 occupancies where:

1. Any dwelling unit or sleeping unit is located two or more stories above the lowest level of exit discharge;

2. Any dwelling unit or sleeping unit is located more than one story below the highest level of exit discharge of exits serving the dwelling unit or sleeping unit; or

3. The building contains more than 10 dwelling units or sleeping units.

Exceptions: A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units and are protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1026.6, Exception 4.

CHAPTER 9 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 910 SMOKE AND HEAT

910.3.2.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically by means of a heat-responsive device rated at least 100° F above the operating temperature of the sprinkler.

CHAPTER 9 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 912 FIRE DEPARTMENT CONNECTIONS

912.1 Installation. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections **912.2** through 912.7 and Barstow Fire Protection District Standard.

912.5 Signs. A metal sign with raised letters at least 1 inch (25 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable in accordance with Barstow Fire Protection District Standard, 15.

CHAPTER 9 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED: SECTION 913 FIRE PUMPS

913.2 Protection against interruption of service. The fire pump, driver, and controller shall be protected in accordance with NFPA 20 against possible interruption of service through damage caused by explosion, fire, flood, earthquake, rodents, insects, windstorm, freezing, vandalism and other adverse conditions.

Notwithstanding the availability of a public utility to provide electric service for a fire pump, electrically driven fire pumps shall be provided with an alternate source of power in accordance with NFPA 20.

CHAPTER 9 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING: SECTION 914 FIRE PROTECTION BASED ON SPECIAL DETAILED REQUIREMENTS OF USE AND OCCUPANCY

914.12 Big Box Buildings.

914.12 Special requirements for Group F, M, S-1 or S-2 distribution warehouses greater than 100,000 square feet in floor area. Buildings classified primarily as Group F, M, Group S, Division 1 or Division 2, with no more than 10% of the building square footage occupied with accessory uses, in which the primary use is wholesale or retail sales of bulk products or packaged materials, or for the storage of commodities for distribution, shall be in accordance with this section.

914.12.1 Fire Control Room. A fire control room for fire department operations shall be provided. The location and accessibility of the fire control room shall be approved by the fire code official. The fire control room shall be separated from the remainder of the building by walls and ceilings not less than one-hour fire partitions. The room shall be a minimum of 96 square feet (9 m^2) with a minimum dimension of 8 feet (2438 mm.) The room shall contain the following as a minimum:

1. The fire alarm control unit and associated equipment.

2. Annunciator panel displaying status of sprinkler control valves and water flow detectors.

3. Main controls and indicators for mechanical smoke exhaust systems.

4. Graphic with schematic indicating building floor plans, means of egress, fire protection systems, firefighting equipment and access.

5. Other firefighting equipment and system controls as required by the fire code official.

6. Emergency lighting powered by the standby electrical system.

914.12.2 Mechanical smoke exhaust. A mechanical smoke exhaust system conforming to the requirements of section 910.4 of this code shall be provided. The system may be combined with environmental or other ventilation air systems when approved by the fire code official.

914.12.3 Standpipe systems. A class I standpipe system shall be provided, with hose connections located at fire department access doors as required by section 905.4 of this code. The system may be interconnected with the building automatic sprinkler systems, and may be supplied by adjacent systems or by a separate riser. Standpipe systems shall conform to the requirements of NFPA 14.

914.12.4 Fire department graphic. A printed graphic with schematic diagrams of the building automatic sprinkler systems, fire alarm systems, means of egress, standpipe systems, smoke exhaust systems, access doors, and any other equipment as required by the fire code official shall be superimposed over a building floor plan or site plan and mounted on the wall in a highly visible location in the fire control room. The graphic shall be durable and waterproofed.

914.12.5 Standby power. A standby power generator set conforming to the California Electrical Code shall be provided on the premises, in protected locations. The set shall have a rated capacity necessary to supply the load of all fire protection features listed below at the same time:

1. Emergency lighting and exit signs necessary for egress.
2. Lighting for the fire control room.
3. Signal and communication systems as applicable.
4. Electrically powered fire pumps required to maintain pressure.
5. Mechanical smoke exhaust systems as required by section 910.

In addition, a fuel supply sufficient for not less than two hours of operation shall be required on the premises. All electrically connected systems shall be transferred within 60 seconds after losing primary power.

914.12.6 Enhanced communications. When required by the fire code official, enhanced communication equipment, such as bi-directional amplifiers, shall be provided in the building for dedicated use by the fire department. When such equipment is required to be installed, it shall be provided with a standby power supply.

914.12.7 Other requirements. All fire protection systems shall comply with Barstow Fire Department Standards as respects installation, signage and labeling, maintenance, and other requirements.

CHAPTER 10
MEANS OF EGRESS
Adopt entire CFC chapter with amendments contained herein

1013.1 Where required. Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Access to exits shall be marked by readily visible exit signs in cases where the exit or the path of egress travel is not immediately visible to the occupants. Exit signs shall be located as necessary in the opinion of the fire code official to clearly indicate the direction of egress travel. Exit sign placement shall be such that no point in a corridor is more than 100 feet (30,480 mm) or the listed viewing distance for the sign, whichever is less, from the nearest visible exit sign. Exit signs shall not be installed more than 14 feet 6 inches from the floor to the bottom of the sign.

CHAPTER 20
AVIATION FACILITIES
ADOPT ENTIRE CFC CHAPTER WITH AMENDMENTS CONTAINED HEREIN

CHAPTER 20 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 2002
DEFINITIONS

2002. Definitions. (The following definitions are added to this section)

APPROACH-DEPARTURE PATH. The flight path of the helicopter as it approaches or departs from the landing pad.

EMERGENCY HELICOPTER LANDING FACILITY (EHLF). A landing area on the roof of a high rise building that is not intended to function as a heliport or helistop but is capable of accommodating fire or medical helicopters engaged in emergency operations. Federal Aviation Administration (FAA) approval is not required for an EHLF.

SAFETY AREA. A defined area surrounding the landing pad which is free of obstructions.

TAKEOFF AND LANDING AREA. The combination of the landing pad centered within the surrounding safety area.

CHAPTER 20 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 2008
EMERGENCY HELICOPTER LANDING FACILITY (EHLF)

2008.1 General. EHLF shall meet or exceed the following minimum requirements and be in accordance with the applicable provisions of the California Building Code.

2008.2 Scope. Every building of any type of construction or occupancy having floors used for human occupancy located more than 75 ft above the lowest level of the fire department vehicle access shall have a rooftop emergency helicopter landing facility (EHLF) in a location approved by the fire code official for use by fire, police, and emergency medical helicopters only.

2008.3 General Construction Features. The landing pad shall be 50 ft. x 50 ft. or a 50 ft. diameter circle that is pitched or sloped to provide drainage away from access points and passenger holding areas at a slope of 0.5 percent to 2 percent. The landing pad surface shall be constructed of approved non-combustible, nonporous materials. It shall be capable of supporting a helicopter with a maximum gross weight of 15,000 lbs. For structural design requirements, see California Building Code.

2008.4 Approach-Departure Path. The emergency helicopter landing facility shall have two approach-departure paths separated in plan from each other by at least 90 degrees. No objects shall penetrate above the approach-departure paths. The approach- departure path begins at the edge of the landing pad, with the same width or diameter as the landing pad and is a rising slope extending outward and upward at a ratio of eight feet horizontal distance for every one foot of vertical height.

2008.5 Safety Area. The safety area is a horizontal plane level with the landing pad surface and shall extend 25 ft in all directions from the edge of the landing pad. No objects shall penetrate above the plane of the safety area.

2008.6 Safety Net. If the rooftop landing pad is elevated more than 30 in. (2'-6") above the adjoining surfaces, a 6 ft in wide horizontal safety net capable of supporting 25 lbs/psf shall be provided around the perimeter of the landing pad. The inner edge of the safety net attached to the landing pad shall be slightly dropped (greater than 5 in. but less than 18 in.) below the pad elevation. The safety net shall slope upward but the outer safety net edge shall not be above the elevation of the landing pad.

2008.7 Take-off and Landing Area. The takeoff and landing area shall be free of obstructions and 100 ft x 100 ft. or 100 ft. diameter.

2008.8 Wind Indicating Device. An approved wind indicating device shall be provided but shall not extend into the safety area or the approach-departure paths.

2008.9 Special Markings. The emergency helicopter landing shall be marked as indicated in Figure 2008.8.1

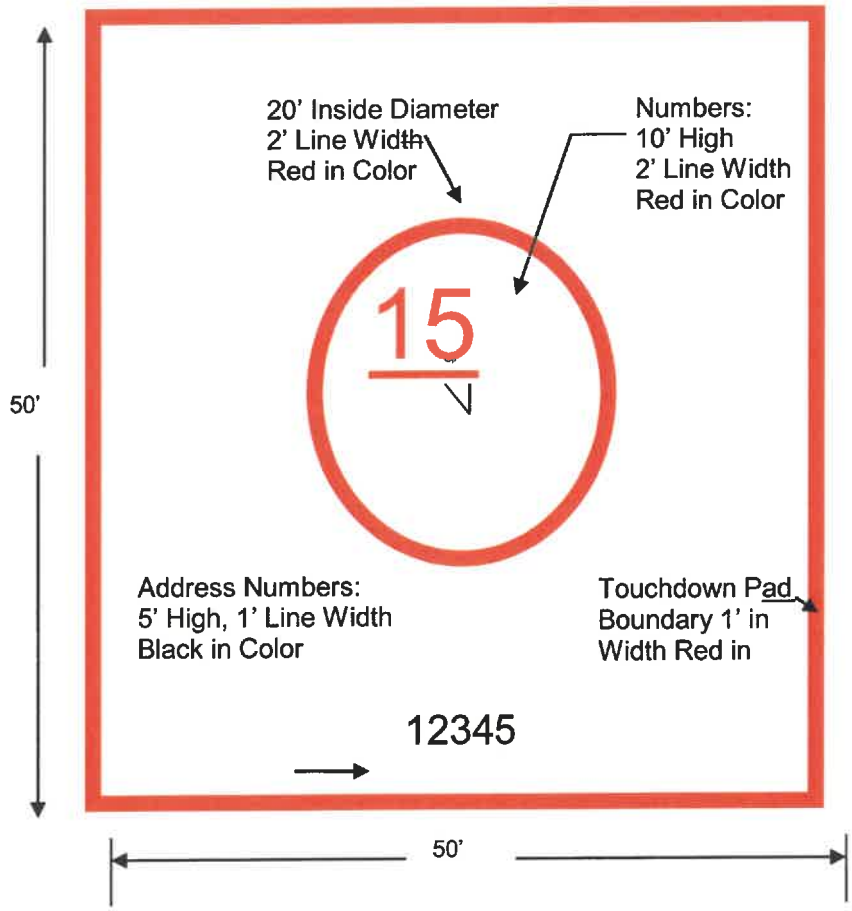
2008.10 Means of Egress. The means of egress from the landing pad shall comply with the provisions of Chapter 10 of the California Building Code. Landing areas located on buildings or structures shall have two or more means of egress. For landing areas less than 60 feet in length, or less than 2,000 square feet in area, the second means of egress may be a fire escape or ladder leading to the floor below.

2008.11 Standpipe systems. The standpipe system shall be extended to the roof level on which the EHLF is located. All portions of the EHLF area shall be within 150 feet of a 2.5-inch outlet on a Class I or III standpipe.

2008.12 Fire extinguishers. A minimum of one portable fire extinguisher having a minimum 80-B:C rating shall be provided and located near the stairways or ramp to the landing pad. The fire extinguisher cabinets shall not penetrate the approach-departure paths, or the safety area. Installation, inspection, and maintenance of extinguishers shall be in accordance with the CFC, Section 906.

2008.13 Fueling and Maintenance. Fueling, maintenance, repairs, or storage of helicopters shall not be permitted on an EHLF.

Figure 2008.8.1 Helicopter Landing Pad Markings



1. The preferred background is white or tan.
2. The circled, red numbers indicate the allowable weight that the facility is capable of supporting in thousands of pounds.
3. The numbers shall be oriented towards the preferred flight (typically facing the prevailing wind).

CHAPTER 26
FUMIGATION AND THERMAL INSECTICIDAL FOGGING
Adopt entire CFC chapter with amendments contained herein

CHAPTER 26 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 2601
GENERAL

2601.1 Scope. Fumigation and thermal insecticidal fogging operations within structures shall comply with this chapter and the California Food and Agriculture Code, Divisions 6 and 7. Where there are conflicting provisions, the regulations contained in the Food and Agriculture Code shall prevail.

2601.2 Permits. Permits are not required to conduct fumigation and insecticidal fogging operations per California State Fire Marshal Informational Bulletin issued 10-03-2000. Instead, provide notification as required by Section 2603.3 and the California Business and Professions Code Section 8505.5, and Section 105.6.

CHAPTER 28
LUMBER YARDS AND WOODWORKING FACILITIES
Adopt entire CFC chapter with amendments contained herein CHAPTER 28 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING:

SECTION 2804 FIRE PROTECTION

2804.5 Water supply. An approved fire hydrant / water supply system capable of supplying 1,500 gpm fire flow for 2 hours shall be provided within 150 feet of all portions of the yard. When required fire flow cannot be provided, the fire code official can impose additional restrictions on pile sizes, locations, and separations.

CHAPTER 28 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 2810
WOOD PALLETS

2810.1 General. The indoor and outdoor storage of wood pallets shall be in accordance with Section 324.

2810.12. Pallet storage, handling, repair or manufacturing shall comply with the requirements of this article. Pallets shall be stored in an orderly manner not to exceed 16 feet in height, 20 feet in width, and 70 feet in length. Pile separation shall be a minimum of 20 feet and no closer than 26 feet to property lines or exposures.
Fire department access roadways shall be no less than 26 feet in width with a vertical clearance of 14 feet, 6 inches. All fire department roadways shall be maintained within 150 feet of all pallet storage and structures. For permits, see Section 105.

CHAPTER 32
HIGH-PILED COMBUSTIBLE STORAGE
Adopt entire CFC chapter with amendments contained herein

CHAPTER 32 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 3206
GENERAL FIRE PROTECTION AND LIFE SAFETY FEATURES

3206.6.1. Identification. Required access doors in any building with a gross floor area greater than 10,000 square feet shall be marked in accordance with Standard BAR3 to allow for quick identification by firefighters both inside and outside of the building.

3206.12 Small hose stations. Small hose stations required by previous editions of the California Fire Code that are no longer required by this code and which are not determined to be special fire protection provisions as allowed by Table 3206.2 can be removed when removal is approved by the fire code official.

3208.3.2 Pallet/commodity stops. In double-row racks, pallet/commodity stops shall be provided along the longitudinal flue space at each level. The stop shall be steel or other ferrous material ¼" thick and in the mounted position shall extend a minimum of 4 inches above the shelf or cross member. This requirement can be applied to existing high-piled combustible storage facilities when, in the opinion of the fire code official, required flue spaces are not being maintained.

CHAPTER 33
FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION
Adopt entire CFC chapter with amendments contained herein

CHAPTER 33 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING:
SECTION 3301
GENERAL

3301.3 Building permits. Building permits should not be issued until the fire code official inspects and approves fire apparatus access and water supply for the construction site. The issuance of building permits with regard to the requirements of this section shall be in accordance with Barstow Fire Protection District Standard, BAR 3, BAR 8, BAR 9 and BAR 15.

CHAPTER 33 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 3305
PRECAUTIONS AGAINST FIRE

3305.5 Fire watch. When required by the fire code official for building demolition that is hazardous in nature, qualified personnel shall be provided to serve as an on-site fire watch. Fire watch personnel shall be provided with at least one approved means for notification of the fire department and their sole duty shall be to perform constant patrols and watch for the occurrence of fire. A fire watch shall be in accordance with Barstow Fire Protection District Standard, BAR13.

CHAPTER 33 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 3311
ACCESS FOR FIRE FIGHTING

3311.1 Required access. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. Temporary fire apparatus access roadways shall be in accordance with Barstow Fire Protection District Standard BAR3, BAR4.

3313.1 When required. An approved water supply for fire protection, either temporary or permanent, shall be made available prior to combustible material arriving on the site. Temporary water supply and fire hydrants shall be in accordance with Barstow Fire Protection District Standard, BAR7.

Exception: Combustible forms used for foundation work.

CHAPTER 33 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
ADDING SECTION 3319
HIGH FIRE HAZARD AREAS (CONSTRUCTION)

3319.1 Brush clearance. Vegetation management / brush clearance shall be provided prior to combustible material arriving on the site and shall be maintained throughout the duration of construction.

CHAPTER 35
WELDING AND OTHER HOT WORK
Adopt entire CFC chapter with amendments contained herein

CHAPTER 35 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 3501
WELDING AND OTHER HOT WORK

3501.1 Scope. Welding, cutting, open torches and other hot work operations and equipment shall comply with this chapter and Barstow Fire Protection District Standard, BAR16.

CHAPTER 55
CRYOGENIC FLUIDS
Adopt entire CFC chapter with amendments contained herein

CHAPTER 55 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 5504
STORAGE

5504.3.1.1.3 Location. Stationary containers shall be located in accordance with Section 5503.6.1. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any location determined by the fire code official to create an unacceptable hazard to persons and/or property.

CHAPTER 56
OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED AS FOLLOWS:
SECTION 5601 (CFC)
GENERAL

5601.1.1 Explosive material standard. In addition to the requirements of this chapter, NFPA 495 and Title 19 division 1 of CCR, Chapter 10 shall govern the manufacture, transportation, storage, sale, handling and use of explosive materials.

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited in the County limits. Inside the City of Barstow City limits fireworks are allowed in accordance with the City's municipal code.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604 and Title 19 CCR, Chapter 6.

2. Manufacture, assembly and testing of fireworks as allowed in Section 5605 and

Title 19 CCR, Chapter 6.

3. The use of fireworks for display as allowed in Section 5608 and Title 19 CCR, Chapter 6.

4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with Title 19 CCR, Chapter 6; CPSC 16 CFR, Parts 1500 and 1507; and DOT 49 CFR, Parts 100-178, for consumer fireworks.

5601.1.4 Rocketry. The storage, handling and use of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125, and NFPA 1127, Title 19 CCR Chapter 6, and Standard BAR17.

5601.1.5 Ammonium Nitrate. The storage and handling of ammonium nitrate shall comply with the requirements of NFPA 490, Chapter 40, and Title 19 CCR, Chapter 10.

Exception: Storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495 and Title 19 CCR, Chapter 10.

5601.7 Seizure. The fire code official is authorized to remove or cause to be removed or disposed of in an approved manner, at the expense of the owner, explosives, explosive materials or fireworks offered or exposed for sale, stored, possessed or used in violation of this chapter, local ordinances, and Title 19 CCR, Chapter 6. Any seizure or removal pursuant to this section shall be in compliance with all applicable regulations, statutes, and laws.

CHAPTER 56 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 5608 (CFC)
FIREWORKS DISPLAY

5608.2 Retail display and sale. The retail display and sale of all fireworks including Safe & Sane is prohibited.

Exception: Permitted Temporary Fire Work Stands permitted by the City of Barstow, as permitted under the Barstow Municipal Code.

5608.3 Firing. All fireworks displays shall be electrically fired.

CHAPTER 57
FLAMMABLE AND COMBUSTIBLE LIQUIDS
Adopt entire CFC Chapter with amendments contained herein

CHAPTER 57 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 5704
STORAGE

5704.2.7.6 Repair, alteration or reconstruction of tanks and piping. The repair, alteration or reconstruction, including welding, cutting and hot tapping of storage tanks and piping that have been placed in service, shall be in accordance with NFPA 30 and Barstow Fire Protection District Standard, BAR18.

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is in any location determined by the fire code official to create an unacceptable hazard to persons and/or property.

5704.2.13 Abandonment and status of tanks. Tanks taken out of service shall be removed in accordance with Section 5704.2.14, or safeguarded in accordance with Sections 5704.2.13.1 through 5704.2.13.2.3, API 1604, and Barstow Fire Protection District Standard, BAR18.

5704.2.14 Removal and disposal of tanks. Removal and disposal of tanks shall comply with Sections 5704.2.14.1 and 5704.2.14.2 and Barstow Fire Protection District Standard, BAR18.

5704.3.3.9 Idle combustible pallets. Storage of empty or idle combustible pallets inside an unprotected liquid storage area shall be limited to a maximum pile size of 500 square feet (232 m^2) and to a maximum storage height of 6 feet (1829 mm). Storage of empty or idle combustible pallets inside a protected liquid storage area shall comply with NFPA 13 and NFPA 230. Pallet storage shall be separated from liquid storage by aisles that are at least 8 feet (2438 mm) wide.

CHAPTER 57 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 5706
SPECIAL OPERATIONS

5706.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited in any location determined by the fire code official to create an unacceptable hazard to persons and/or property.

CHAPTER 61
LIQUEFIED PETROLEUM GASES
Adopt entire CFC chapter with amendments contained herein

CHAPTER 61 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION 6104
LOCATION OF CONTAINERS

6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L) in any location determined by the fire code official to create an unacceptable hazard to persons and/or property.

Exception: In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed containers, degree of fire protection to be provided and capabilities of the local fire department.

CHAPTER 61 OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED BY ADDING:
SECTION 6107
SAFETY PRECAUTIONS AND DEVICES

6107.5 Container orientation. Containers in multiple container installations and containers in storage shall be oriented with relation to one another such that the length axes of the tanks are parallel.

CHAPTER 80
REFERENCED STANDARDS
Adopt entire CFC chapter with amendments contained within the Barstow Fire Protection District Standards

CHAPTER 49
REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS
Adopt entire CFC chapter with amendments contained herein

SECTION 4901
GENERAL

4901.1 Scope. The mitigation of conditions where a wildfire burning in vegetative fuels may readily transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities, or result in large property losses shall comply with the chapter and IFC Wildland – Urban Interface Standard where applicable.

DIVISION 11
ADMINISTRATION
Adopt entire CFC appendix with amendments contained herein

GENERAL PROVISIONS OF THE 2022 CALIFORNIA FIRE CODE ARE

EXHIBIT 1

FACTUAL FINDINGS ESTABLISHING THE REASONABLE NEED FOR LOCAL AMENDMENTS TO THE CALIFORNIA FIRE CODE BASED UPON CLIMATIC, GEOLOGICAL AND/OR TOPOGRAPHICAL CONDITIONS OR ADMINISTRATIVE PROVISION

Section 1 of this Exhibit sets forth various findings that apply in Barstow, explaining the administrative provisions, various local climatic, geological and/or topographical conditions that necessitate the various changes.

In some cases, the District has opted to make findings even though it is not legally required to do so. For example, if a change to a building standard is administrative in nature, then no finding is legally required. Likewise, if a proposal does not contradict an applicable standard in the California Fire Code, but merely supplements the standard, then the District need not make a finding. The District nevertheless has sometimes opted to make findings in such circumstances.

Section 1. General Findings

The following findings apply in the Barstow Fire Protection District, and explain why the changes to the California Fire Code are necessary because of climatic, geological, topographical or local administrative regulations in the District.

A. Climatic Conditions

1. Hot Weather, Low Humidity is Fire Danger. The Barstow area is in an area subject to a desert climatic condition of high heat, high winds and low humidity. This combination creates an environment, which is conducive to rapidly spreading fires. High wind, which can cause small fires to spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. Control of such fires is particularly imperative in the Barstow Area. Added protection is necessary to supplement normal fire department response available and provide immediate protection for life and safety during fire occurrences.

2. High Winds Necessitate Arial Regulations. High winds are common in Barstow. In addition, there is a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type firefighting apparatus above this height would place rescue personnel at increased risk of injury. Because of the high wind and fire risk in the city, additional regulations of tall buildings and all related fire response is necessary.

B. Geologic Conditions

1. Earthquakes Require Greater Safety Measures. Barstow is an active seismic area. For example, both Camp Rock fault and the Calico Fault are near Barstow, and

each is subject to frequent seismic activity. For example, on June 28, 1992, about 20 km of the Camp Rock fault ruptured. Likewise, on March 18, 1997, the Calico Fault had a major rupture on its the northern end, closest to Barstow. Had the quake been larger, the death toll and damage could have been substantial.

The October 17, 1989 Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district, but when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in Barstow within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, 1988, State Department of Conservation," page 59, "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe";

2. Traffic Necessitates On-Site Safety Measures. Traffic and circulation congestion presently existing in the Barstow area often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.

3. Caliche Soils Require Stronger Structures. The caliche soils in Barstow less able to support structures than soils commonly found in the more populated and less arid areas of California. As a result, more stringent fire related construction standards are necessary.

4. Seismic Activity Necessitates Protection of Tall Structures. The Barstow area is in the middle of the seismically active area. The viability of the public water system would be questionable at best after a major seismic event. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.

C. Topographical Conditions

1. Flat Desert Geography Causes Slower Response Times. Because of the generally flat and desert geographical conditions of the Barstow area, land is substantially cheaper than other areas of the state, and the City of Barstow and its surrounding communities are widely disbursed as a result. As a result, fire and life safety response is necessarily slower to outlying areas than might be expected in the more densely populated areas of California. Increased fire regulation is therefore necessary to supplement fire protection.

2. Caliche Soils Cause Flooding. The Barstow area is built upon and surrounded by

areas that are largely caliche soils. Caliche soils are nearly impervious to rain. As a result, even slight amounts of rain commonly cause dangerous flooding. Because the Barstow area is in a river valley, the rain water runs directly through the city, and into the downtown area. Flooding is common. As a result, more stringent fire life safety standards are necessary.

D. Administrative Regulations.

Local regulations necessary to carry out the application of the Fire District's regulations that do not establish building standards may be enacted without meeting the requirements of the HSC sections 18941.5, 17958, 17958.5 and 17958.7. Additional amendments have been made to Codes. Such amendments are hereby found to be either administrative or procedural in nature which do not impact the technical standards within the California Building Standards Codes or concern themselves with subjects which are not covered in such Codes. The changes made include provisions making each of said Codes compatible with other Codes and Ordinances enforced by the District.

E. Not Applicable (N/A).

No findings need to be made, because the code section that is at issue does not amend any building standard.

AMENDED:
SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the Fire **Code of** the Barstow Fire Protection District (BFPD), herein referred to as "this code."

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 when identified in specific sections of this code.
4. Existing structures, facilities, and conditions which, in the opinion of the fire code official, constitute a distinct hazard to life or property.
5. Existing structures and facilities undergoing construction after the adoption of this code in which the floor area of reconstruction or remodel is 50 percent or more of the existing building prior to the submittal of a building permit application.
6. Existing structures and facilities undergoing construction after the adoption of this code in which the floor area is increased by 50 percent or more.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 45 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply the fire code official shall determine which requirement meets the general intent of this code.

102.10 Conflicting Provisions. Where there is a conflict between a general requirement and a specific requirement, the fire code official shall determine which requirement meets the general intent of this code. Provisions of the California Code of Regulations that are included in this code specifically or by reference shall prevail except where this code contains a more restrictive requirement.

APPENDIX A OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED TO PROVIDE IN ITS ENTRITY AS FOLLOWS:
BOARD OF APPEALS

The Barstow Fire Protection District will serve as the Board of Appeals. The Board of Appeals will hear appeals concerning the manner of construction or fire protection systems in a format described in Barstow Fire Protection District Standard, BAR12.

APPENDIX B OF THE 2022 CALIFORNIA FIRE CODE, FIRE FLOW REQUIREMENTS FOR BUILDINGS IS AMENDED:

SECTION B105
FIRE-FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and two-family dwellings. The minimum fire-flow for one- and two- family dwellings having a fire flow calculation area which does not exceed 3,600 square feet (344.5 m^2) shall be 1,500 gallons per minute (3785.4L/min). Fire-flow and flow duration for dwellings having a fire flow calculation area in excess of 3,600 square feet shall not be less than that specified in Table B105.1 and Standard BAR8.

APPENDIX C OF THE 2022 CALIFORNIA FIRE CODE IS AMENDED:
SECTION C105
DISTRIBUTION OF FIRE HYDRANTS

C105.1 Hydrant Spacing. The average spacing between fire hydrants shall be spaced as follows and Barstow Fire Protection District Standard, BAR9 and BAR15:

1. Residential – Hydrant spacing shall not exceed 300 feet distance apart for all newly constructed tracts, single-family residences – apartments and like structures.

2. Non-residential – Hydrant spacing shall not exceed 300 feet distance apart with no part of the structure being greater than 300 feet from a fire hydrant.

3. Fire hydrants shall be placed no more than 3 feet from the curb line of Fire Lanes.

Exception: The fire chief is authorized to accept a deficiency of up to 10 percent where existing hydrants provide all or a portion of the required fire hydrant service.

Section 4. Repeal. Ordinance 29-19 is hereby repealed.

Section 5. Findings. The Board hereby makes the findings set forth in Exhibit 1 as if fully set forth herein, and finds that the changes to the California Fire Code are reasonably necessary for the health, safety, and general welfare of the residents of the City due to the reasons set forth therein.

Section 6. Continuations of Provisions. To the extent the provisions of the Barstow Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they existed prior to the adoption of this Ordinance, those provisions shall be construed as continuations of, and not amendments of, the earlier provisions.

Section 7. Severability. 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 Barstow Fire Protection District, Board of Directors hereby declares 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.

Section 8. References in Documents and Continuing Legal Effect. References to prior versions of any portion of the California Fire Code, that are amended or renumbered in this Municipal Code, that are cited on notices issued by the District or other documents of ongoing or continuing legal effect, including resolutions adopting or imposing fees or charges, until converted, are deemed to be references to the new counterpart part of the Fire Code or amended sections for the purposes of notice and enforcement. The provisions adopted hereby shall not in any manner affect deposits, established fees or other matters of record which refer to, or are otherwise connected with, ordinances which are specifically designated by number, code section or otherwise, but such references shall be deemed to apply to the corresponding provisions set forth in the code sections adopted or amended hereby.

Section 9. No Effect on Enforceability. The repeal of any sections of the Municipal Code, shall not affect or impair any act done, or right vested or approved, or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act, vested right, proceeding, suit, or prosecution shall remain in full force and effect for all purposes as if the applicable provisions of the Municipal Code, or part thereof, had remained in force and effect. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the repeal or alteration of any applicable provision of the 2019 Code as amended, shall be discharged or affected by such repeal or alteration but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceed in all respects as if the applicable provisions of the 2019 Code, as amended, had not been repealed or altered.

Section 10. Publication. That the Clerk of the Board of Directors is hereby ordered and directed to cause this ordinance to be published in accordance with applicable law.

Section 11. Effective Date. Consistent with Health & Safety Code 13869.7, this ordinance shall become effective when both of the following has occurred: (a) at least 30 days have passed since the date of the final passage and adoption of this ordinance; and (b) the ordinance is ratified by the City of Barstow and/or the County of San Bernardino.

Section 12. CEQA. This Ordinance is exempt from the California Environmental Quality Act pursuant to State Guidelines §15061 (b) (3) as a project that has no potential for causing a significant effect on the environment.

PASSED, APPROVED AND ADOPTED, this 18th day of December, 2023.

Paul, Anthony Courtney, BFPD Chair

ATTEST:

Andrea Flores, Board Secretary

I, Andrea Flores, Board Secretary of the Barstow Fire Protection District, California, do hereby certify that the foregoing Ordinance 30-2023 was introduced at a joint meeting of the Barstow City Council and the Fire Board of the Barstow Fire Protection District held on the 4th day of December 2023, and was adopted at the joint meeting of the Barstow City Council and Fire Board of the Barstow Fire Protection District on the 18th day of December, 2023, by the following vote

AYES: Mayor Courtney, Mayor Pro-Tem Noble, Council Members Hernandez and Rose

NOES:

ABSENT: Council Member Kruse

ABSTAINED:

CITY OF BARSTOW INCORPORATED SEPT. 30, 1947 BARSTOW, CALIFORNIA

Andrea Flores, Board Secretary

5148

CITY COUNCIL RESOLUTION NO. 5149-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BARSTOW, CALIFORNIA APPROVING THE GENERAL PLAN AMENDMENT PGPA-23-0001 TO ALLOW FOR A GENERAL PLAN LAND USE DESIGNATION CHANGE TO PARCEL 203 WEST MAIN ST. BARSTOW, CA FROM COMMERCIAL (C) TO DIVERSE USE (DU) AND FINDING THAT THE GENERAL PLAN AMENDMENT HAS BEEN DETERMINED TO BE EXEMPT FROM CEQA

WHEREAS, the City received an application from Ouhnar LLC on February 1, 2023 for a General Plan Amendment in accordance with Barstow Municipal Code Chapter 19.34(b)(3) (General Plan Amendments); and

WHEREAS, the City initiated the process of adopting a General Plan Amendment by directing the Planning Commission to hold a public hearing on General Plan Amendment PGPA-23-0001 to allow for a General Plan Land Use Designation Change to 203 West Main St. Barstow, CA from Commercial (C) to Diverse Use (DU) Barstow Municipal Code Section 19.34.010(b)(1); and

WHEREAS, a public hearing was held by the Planning Commission on April 24, 2023, for the General Plan Amendment with notice of said hearing and published in the Victor Valley Daily Press at least 10 days prior to the public hearing, at which the Planning Commission voted to recommend approval of the General Plan Amendment to the City Council; and

WHEREAS, Government Code section 65860 requires a City or County's General Plan to be consistent with its Zoning Ordinance and whereas the proposed General Plan Amendment complies with said Government Code; and

WHEREAS, the City Council hereby finds the proposed General Plan Amendment is exempt from the California Environmental Quality Act (CEQA) under Article 14 California Code of Regulations Sections - 15301 (Existing Facilities) of the CEQA Guidelines, which exempts the restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety; and Section 15302 (Replacement or Reconstruction) which exempts proposals where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Finally, Section 15332 (In-Fill Development Projects) exempts proposed development that occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, as the proposed General Plan land use designation change is for an existing commercial site less than five acres within an urban uses area. as the proposed General Plan land use designation change is for an existing commercial site less than five acres within an urban uses area.

The site has two (2) existing structures and if approved, applicant proposes renovations and upgrades to each building. The vacant motel will be converted in to residential units and the second structure to be restored back to an operating laundromat. Proposal associated with the Zoning District Change and General Plan Amendment meets the referenced findings; and

WHEREAS, the City Council orders the Community Development Department staff file the Notice of Exemption for CEQA under Article 14 California Code of Regulations Section 15062, citing the exemptions under Guidelines Sections 15301, 15302, and 15332, within the required timing post City Council approval of the requested Zone District Change and proposed General Plan Amendment; and

WHEREAS, on December 4, 2023, the City Council commenced a duly noticed public hearing and received and considered all public testimony, documentary evidence and staff recommendations submitted at such public hearing regarding the proposed Zoning District Change and General Plan Amendment as recommended by the Planning Commission at hearings on April 24, 2023 and October 9, 2023 and continued the matter; and

WHEREAS, per Barstow Municipal Code Chapter 19.34 (General Plan Amendments), an amendment to the General Plan land use map may be approved only if the following findings are made, as applicable to the type of amendment in compliance with State law (Government Code Section 65800, et. seq.). The City Council hereby determines as follows:

1. *Section 19.34.080 of the Barstow Municipal Code requires that all General Plan Amendments be processed in accordance with the Government Code.*

The City Council finds that the proposed General Plan Amendment is necessary and desirable for the future development of Barstow as mandated pursuant to State Law, specifically Government Code Section 65300 et seq. and is further justified by good planning practice. The City Council also finds that the proposed change in General Plan land use designation for the project site from Commercial (C) to Diverse Use (DU) is beneficial to the public's welfare because it will allow economically productive use of the project site by a variety of potential future land uses, including commercial enterprises which would generate tax revenue to pay for City services to the community and potential residential development which would create additional opportunities for community members to live and work in the City of Barstow. The City Council also finds that the proposed land use designation amendment is not internally inconsistent with the other provisions of the General Plan, as no section prohibits a diverse use land use designation at the project site and the list of land uses allowed under the diverse use land use designation are compatible with the surrounding land use designations.

NOW, THERFORE, the City Council of the City of Barstow does hereby resolve as follows:

SECTION 1. Recitals. The City Council finds that all the facts, findings, and conclusions set forth above in this Resolution are true and correct.

SECTION 2. Approval of General Plan Amendment. The City Council hereby approves PGPA-23-0001 changing the General Plan land use designation from Commercial (C) to Diverse Use (DU) for the parcel located at 203 West Main Street Barstow, CA.

The City Council adopts the General Plan Amendment as depicted in Exhibit 1, subject to the final conditions of approval attached as Exhibit 2. The City Council hereby directs the City Manager or his designee to prepare and make publicly available the updated General Plan land use designation map reflecting this change.

SECTION 3. Severability Clause. Should any section, clause, or provision of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of the Resolution as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION 4. CEQA. The City Council finds the adoption of this resolution is exempt from review under the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, which exempts the restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety; and Section 15302 (Replacement or Reconstruction) which exempts proposals where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Finally, Section 15332 (In-Fill Development Projects) which exempts proposed development that occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, as the proposed General Plan land use designation change is for an existing commercial site less than five acres within an urban uses area.

The site has two (2) existing structures and if approved, applicant proposes renovations and upgrades to each building. The vacant motel will be converted in to residential units and the second structure to be restored back to an operating laundromat. Proposal associated with the Zoning District Change and General Plan Amendment meets the referenced findings.

The City Council finds that the Notice of Exemption prepared for the Zone District Change and General Plan Amendment demonstrates there is no potential for significant environmental impacts associated with the project, which changes the General Plan Land Use Designation and applicable zone for an existing site and is exempt from review under the California Environmental Quality Act Guidelines, sections 15301, 15302, and 15332.

The City Council further adopts and hereby incorporates by reference as if set forth fully herein the Notice of Exemption and supplemental information narrative, providing additional basis for this CEQA exemption determination. The City Council

further relies on the CEQA findings and declarations as stated in the concurrently approved Ordinance No. 1023-2023 approving the Zoning District Change.

SECTION 5. EFFECTIVE DATE. This Resolution is not effective unless and until Ordinance No. 000-2023 approving the related Zoning District Change for the parcel located at 203 West Main Street, Barstow takes effect.

SECTION 6. CERTIFICATION. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this 18th day of December, 2023.

Paul Anthony Courtney, Dr.B.A., Mayor

Andrea Flores, City Clerk

ATTEST:

I, Andrea Flores, City Clerk of the City of Barstow and ex-officio Clerk of the City Council DO HEREBY CERTIFY UNDER PENALTY OF PERJURY that the foregoing is a true and correct copy of Resolution No. 5149-2023, was adopted by said City Council at a regular meeting held on the 18th of December, 2023 by the following vote:

AYES: Mayor Courtney, Mayor Pro-Tem Noble, Council Members Hernandez and Rose

NOES:

ABSENT: Council Member Kruse

ABSTAINED:

Andrea Flores, City Clerk