

**ORDINANCE NO. 2467**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLE II OF CHAPTER 10 OF THE WEST COVINA MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2019 CALIFORNIA FIRE CODE, WHICH ADOPTS BY REFERENCE THE 2018 INTERNATIONAL FIRE CODE; AND MAKING AMENDMENTS THERETO**

**WHEREAS**, the California Building Standards Commission recently published the 2019 California Building Standards Code, which includes the 2019 California Fire Code (the “2019 Fire Code”); and

**WHEREAS**, the 2019 Fire Code will be effective on January 1, 2020; and

**WHEREAS**, Section 17958.5 of the California Health and Safety Code permits the City to make changes or modifications to the 2019 Fire Code, which incorporates by reference the 2018 International Fire Code with California amendments, as codified within the 2019 Fire Code, as such changes are reasonably necessary because of local climatic, geographical or topographical conditions; and

**WHEREAS**, Section 13143.5 of the Health and Safety Code permits the City, by ordinance to make changes or modifications to the 2019 Fire Code that are more stringent than the requirements published in the 2019 Fire Code, relating to fire and panic safety; and

**WHEREAS**, Sections 13143.5 and 17958.7 of the Health and Safety Code require the City, prior to adopting the ordinance, to make express findings that the adopted standards are reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS**, the findings and local amendments apply to all occupancy classifications, unless specified otherwise; and

**WHEREAS**, the City Council of the City of West Covina finds that the modifications to the 2019 Fire Code are reasonably necessary due to the following local climatic, geological, and topographical conditions:

1. The City of West Covina has a semi-arid climate with a history of extended periods of draught, and frequent hot, dry winds (Santa Ana Winds) which compounds the increased risk of the spread of wild- and structure-fires.
2. The City of West Covina contains areas of unique geological and topographical features such as steep slopes, non-cohesive soils, expansive soils, and areas subject to landslide or liquefaction.

**WHEREAS**, the City Council, in accordance with the requirements of Government Code section 50022.3, conducted a public hearing on January 7, 2020 to consider the adoption of this Ordinance, which adopts by reference the 2019 Fire Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1:** The City Council finds that all of the recitals set forth herein are true and correct.

**SECTION 2:** The City Council makes and adopts as findings the facts and conclusions set forth in the recitals of this Ordinance and, for the reasons set forth in the recitals, finds that the modifications to the 2019 California Fire Code are reasonably necessary due to local climatic, geological, or topographical conditions.

**SECTION 3:** Article II of Chapter 10 of the West Covina Municipal Code is hereby amended as follows:

(a) Section 10-20 of Article II of Chapter 10 of the West Covina Municipal Code shall be amended to read as follows :

Section 10-20. – Adopted.

Except as otherwise provided in this article, the City Council of the City of West Covina hereby adopts by reference for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the 2019 California Fire Code, which adopts by reference the 2018 International Fire Code, published by the International Code Council, including appendix chapters with errata. In the event of any conflict or ambiguity between any provision contained in such codes set forth above, and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

One (1) complete copy of the 2019 California Fire Code, with errata and supplements and one (1) complete copy of the 2018 International Fire Code shall be at all times maintained by the city clerk for use and examination by the public.

(b) Section 10-21 of Article II of Chapter 10 of the West Covina Municipal Code shall be amended to read as follows:

Section 10-21. - Establishment and duties of bureau of fire prevention.

(a) The California Fire Code, 2019 Edition, including all indices and appendices shall be enforced by the bureau of fire prevention in the fire department of the City of West Covina which is hereby established and which shall be operated under the supervision of the chief of the fire department.

(b) The fire marshal in charge of the bureau of fire prevention shall be appointed by the chief of the fire department on the basis of examination to determine his or her qualifications.

(c) The chief of the fire department may recommend to the city council of the City of West Covina the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and/or non-members of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause.

(c) Section 10-22 shall be deleted in its entirety and replaced as follows:

“Section 10-22. - Reserved.”

(d) Section 10-27 of Article II of Chapter 10 of the West Covina Municipal Code shall be amended to read as follows:

Section 10-27. - Amendments made to the California Fire Code.

The California Fire Code, 2019 Edition, as renumbered and adopted under section 10-20 of this chapter, is hereby amended as follows:

Section 1.1.4 – Appendices – is hereby amended as follows:

Subsection 1.1.4.1 is hereby added to read: “Adopted Appendices – The City of West Covina hereby adopts Appendices A, B, BB, C, CC, D, E, F, G, H, I, K, M, N, and O in their entirety as contained within the 2019 California Fire Code.”

Section 102 – Applicability – is hereby adopted in its entirety.

Section 103 – Department of Fire Prevention – is hereby adopted in its entirety.

Section 104 – General Authority and Responsibilities – is hereby adopted in its entirety and shall be further amended as follows:

Subsection 104.10 Fire Investigations

The fire chief, assistant chief, fire marshal, deputy fire marshal, fire protection specialist, captain, engineer, firefighter and firefighter/paramedic shall have the authority to investigate the origin, cause and circumstance of any fire, explosion or other hazardous condition. While performing these duties, the listed officers and members of the fire department, if meeting the definition of “peace officer” as outlined in California Penal Code section 830.37, shall have the power to arrest any person without warrant whenever they have reasonable cause to believe that the person has violated any provision of this chapter in their presence. Those persons certified as “Fire Investigators” shall also have peace officer powers under Penal Code section 830.37.

Section 105.6 is hereby amended to add Sections 105.6.5.1(a) through Sections 105.6.5.1(e) to read as follows:

Section 105.6.5.1 Christmas Tree Sales Lots

All temporary, outdoor lots for the display and sale of Christmas trees are required to have a permit and shall be located, maintained, and operated subject to the following provisions:

105.6.5.1(a) Permits

All applications for permits shall be made in writing, filed with the city, and shall state the name of the applicant, his or her address, and the location of the proposed Christmas tree lot. The application shall be accompanied by a clearance from the fire chief as to fire regulations and by a clearance from the department of building and safety as to the proposed electrical

installation, if any, and additionally, by clearance from the engineering department for review of location in relation to possible interruption of traffic.

- All permits must be posted in a conspicuous place.
- Fires in barbeques or in metal drums or other containers require a special permit that is to be obtained from the fire department.

#### 105.6.5.1(b) Fire Protection

There shall be maintained in each premises or display area where Christmas trees are sold or offered for sale, at least two (2) fire extinguishers with a minimum rating of 2A. No extinguisher shall be more than seventy-five (75) feet travel distance from any tree on display or in storage.

#### 105.6.5.1(c) Tents or Canopies on Christmas Tree Lots

A separate permit shall be obtained from the fire department for all tents, canopies and temporary membrane structures and they shall meet all requirements of Chapter 31 of the California Fire Code. All tents, canopies and temporary membrane structures shall be made of flameproof materials or rendered flame retardant by an approved process.

#### 105.6.5.1(d) Display

Christmas trees shall not be sold or displayed indoors or under covered, outdoor walkways of buildings or shopping centers unless the walkway is protected by an approved automatic fire sprinkler system, or the display is specifically approved by the fire chief.

#### 105.6.5.1(e) Lot Closure

Christmas trees shall be removed and the debris cleared no later than ten (10) days after the last day of sale. A fee, as established by resolution of the city council, shall be posted for each lot with the license collector at the time of issuance of the permit. This fee will be returned if the debris is cleared and the lot is removed within the stated time, otherwise the fee will be used to defray the cost of cleanup and will not be returned.

Chapter 3 is hereby adopted in its entirety, except as amended below:

Section 304.1.2 is amended to read as follows:

#### Section 304.1.2 Vegetation

Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

Vegetation clearance requirements for all residential front, rear and side yards including slopes shall be maintained, by the owner or occupant, free and clear of all flammable and combustible vegetation for a distance of 100 feet or to their property line, whichever is closest.

A minimum clearance of 10 feet shall be maintained between all roads and all dry grass, weeds, vegetation and other combustible material.

A minimum clearance of 10 feet shall be maintained between any tree or portion of a tree from the outlet of a chimney or stovepipe.

All roofs of any structure shall be maintained free of leaves, needles or other dead vegetative growth.

It shall be unlawful for any person to deposit any grass, weeds, brush, debris, trash or other waste material upon any vacant lot or parcel of ground within the City.

A new sub-section 304.1.2(a) - High Fire Hazard Designation - shall be added and shall read as follows:

The City of West Covina hereby adopts the most recent County of Los Angeles High Fire Hazard Zone Map to identify and designate high fire hazard areas within city limits.

Section 503 – Fire Department Access Roads - is hereby added and adopted as part of this Code and shall be amended as follows:

Section 503.3 is amended to read as follows:

#### Section 503.3 Markings or Postings of Fire Apparatus Access Roads

When 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. Those areas determined to be "Fire Lanes" shall be posted in accordance to the standards set forth by the West Covina Engineering Department per the requirements of the West Covina Municipal Code, Section 22-188.

Section 503.4 is amended to read as follows:

#### Section 503.4 Obstruction or Blocking of Fire Apparatus Access Roads

The required width of a fire apparatus access road shall not be obstructed in any manner, including via the parking of vehicles. Minimum required width and clearances established under Section 503.2.1 shall be maintained at all times.

Entrances to roads, trails or other access ways, which have been closed with gates and barriers in accordance with Section 503.5.1 and 503.2.2, shall not be obstructed by parked vehicles. In addition, any person excavating or working upon any street, alley, public thoroughfare, or fire apparatus access road and by reason thereof, or for any other reason, causes the same to be blocked or made impassable, shall notify the fire code official of the fire department at the time such work is started and upon completion thereof.

Section 503.5.1 and Section 503.6 are hereby amended to read as follows:

#### Sections 503.5.1 and Section 503.6 - Security Gates and Building Security Access

All security gates shall be operable by the fire department by way of an emergency entry system approved by the fire chief.

All security access systems on building entrances or openings used for emergency access shall be operated by the fire department by way of a card reader, which will accept a fire department master key card. At the discretion of the fire chief or fire code official, an approved key box or a radio operated control system may be required as a substitute, or in addition to, the emergency key card entry system.

Section 505.1 is amended to read as follows:

#### Section 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. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high, for residential homes, with a minimum stroke width of 0.5 inch.

Numbers for commercial or industrial buildings shall be a minimum of 8 inches high, located near to top corner of the structure facing the street. Any building which exceeds a setback of greater than 50' but does not exceed 100' from the curb face must have a minimum of 10 inch numbers. Any building which exceeds a setback of greater than 100' but does not exceed 200' from the curb face must have a minimum of 12 inch numbers.

Section 507.3 and Appendix B are amended as follows:

A new Subsection 507.3.1 – Fire Flow Minimum Requirement – shall be added to read as follows:

Water mains and piping supplying fire hydrants shall not be of a size less than that specified by applicable, adopted Standards, and installation shall be accompanied by hydraulic calculations supporting the size of piping installed. Underground piping shall be capable of supplying a minimum of 1000 gallons per minute, at a residual pressure of at least 20 psi.

Chapter 9 – Fire Protection Systems – is adopted in its entirety with the following deletions and amendments:

Section 901.2 is hereby deleted in its entirety.

Section 901.4 is amended to read as follows:

#### Section 901.4 Installation

Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection whenever a building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable, adopted Standards.

All new fire protection systems shall be designed, installed and maintained in accordance with applicable, adopted Standards of the National Fire Protection Association.

Two new sub-sections, 901.4.4(a) and 901.4.4(b), shall be added to read as follows:

Section 901.4.4.1 In Group R occupancies, when a fire sprinkler system is designed and installed under the NFPA 13D or 13R Standards, additional areas may require fire sprinklers at the discretion of the fire official. These areas may include, but not be limited to, areas such as closets or bathrooms under stairways; special water heater enclosures; accessible attic or storage spaces, basements and similar areas.

Section 901.4.4.2 In Group R occupancies with a combined fire/domestic service installed, a main control valve, identified by signage, shall be installed before the tee split to the domestic piping, in addition to a domestic-only control valve. The main control valve shall be clearly identified, be readily accessible, and shall be ready for use without requiring a tool or wrench to operate. A separate fire-only control valve shall not be allowed.

Section 901.6.1 is amended to read as follows:

#### Section 901.6.1 Standards

Fire protection systems shall be inspected, tested and maintained in accordance with the referenced Standards listed in Table 901.6.1.

The design, installation, inspection and maintenance of all automatic fire sprinkler systems shall meet the requirements of the 2016 Editions of the National Fire Protection Association (NFPA) Standards 13, 13R, 13D and 25, as applicable.

Section 903.2 is hereby amended to read as follows:

#### Section 903.2 Fire Sprinkler Systems - Where Required

Approved automatic sprinkler systems shall be provided in specific buildings, occupancies and structures as follows:

- (1) New Buildings – Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.19 of this Code, an automatic fire extinguishing system shall be installed in all new structures when the total building area, as defined in Section 202, exceeds five thousand (5,000) square feet or is more than two stories in height, regardless of fire or allowable areas.

Exception: Subject to the approval of the fire code official, open parking garages, in accord with Section 406.5 of the California Building Code.

- (2) Existing Buildings:

Notwithstanding any applicable provisions of this Code, an automatic fire sprinkler system shall be provided in any existing building upon occurrence of any of the following:

- (a) In any existing building after the completion of any major alteration or addition which will exceed five thousand (5,000) square feet in floor area;
- (b) In any existing building where an addition or additions exceeds twenty-five (25) percent of the existing floor area as of January 1, 1990 or five thousand (5,000) square feet, whichever is less, and the existing building is over five thousand (5,000) square feet;

- (c) When the value of alterations or repairs to an existing building, which is five thousand (5,000) or more square feet, exceeds twenty-five (25) percent of the value of the building in any twelve (12) month period.

Exception: In any existing one and two family dwelling, fire sprinklers will be required where an addition of one thousand (1,000) square feet or more is added, where an addition or creation of a habitable floor level above or below the existing level of exit discharge takes place, or when alterations are made which affect fifty (50) percent or more of the structural or roof framing.

“Major Alterations or Repairs” is defined as alterations or repairs requiring building permits to an existing building or structure of five thousand (5,000) square feet or more where the project valuation cost equals to or exceeds twenty five (25) percent of the current fair market value of said building or structure.

Section 903.2.3 is hereby amended as follows:

The following exceptions in the California Fire Code shall NOT be permitted:

- a) Exception in Section 903.2.3
- b) Exception in Section 903.2.11.3

A new Subsection 903.3.5.3 is hereby added to read as follows:

Section 903.3.5.3 – Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed ninety (90) percent of the water supply capacity.

Section 903.4.2 is hereby amended as follows:

A new Subsection 903.4.2.1 is hereby added to read as follows:

Section 903.4.2.1 – At the discretion of the fire official, at least one interior audible alarm device, connected to the fire sprinkler flow switch, may be required for residential occupancies and individual commercial tenant spaces where it is determined that the exterior audible device may not provide adequate occupant notification in the event of a fire.

Section 5608 is amended to read as follows:

Section 5608.2 - Permit Required

The city council may permit any person, licensed by the State fire marshal, to conduct a public display of fireworks, and for that purpose to use and discharge fireworks at such times and such places in the city as the city council may fix and establish, provided that a written application for a permit to do so is filed with the chief of the fire department of the city at least fifteen (15) days in advance of the date of the display. It shall be the duty of the chief of the fire department to whom the application for a permit is made to make an investigation and submit a report of his or her findings and recommendations for or against reasons therefore, to the city council. The city council shall have the power in its discretion to grant or deny the permit. If the permit is granted, the applicant shall furnish the city with a certificate of insurance in adequate amount, which shall also contain a clause holding the city harmless from any damage or injury resulting from granting the permit.



Section 5609 is hereby amended to read as follows:

Subsection 5609.2 – Sale and Retail Display – shall be added and shall read as follows:

No person shall construct a retail display nor offer for sale any explosives, explosive materials or fireworks upon any highway, street, sidewalk, public or private property, or from any occupancy within the city.

The sale, use and discharge of fireworks, including those classified as “Safe and Sane” is prohibited within the City of West Covina limits.

Chapter 80 shall be amended as follows :

(1) Revise NFPA 13D, Section 7.6, as follows:

7.6 Local waterflow alarms shall be provided on all sprinkler systems.

(2) Revise NFPA 13D, Section 8.3.5. and 8.3.5.1, as follows:

8.3.5 Sprinklers shall not be required in attics without storage or other concealed spaces that are not used or intended for living purposes.

8.3.5.1 (*Replace Wording*) When fuel-fired equipment is present in the attic, at least one quick-response, intermediate temperature sprinkler shall be installed above the equipment.

(3) Delete in entirety NFPA 13D Sections 8.3.5.1.1 and 8.3.5.1.2.

(4) Revise NFPA 13D, Section 8.3.9, as follows:

8.3.9 Sprinklers shall be installed in any closet or combustible enclosure containing heating and/or air conditioning equipment, washers and/or dryers, or water heaters.

**SECTION 4: Severability.** If any section, subsection, clause or phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this Ordinance. The City Council of West Covina hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

**SECTION 5: Effective Date.** This Ordinance shall become effective 30 days after its adoption.

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**SECTION 6: Publication.** The City Clerk shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

**SECTION 7: Certified Copy.** The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

**PASSED, APPROVED AND ADOPTED** this 7<sup>th</sup> day of January, 2020.



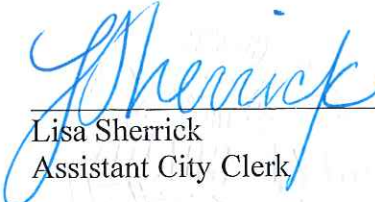
\_\_\_\_\_  
Tony Wu  
Mayor

**APPROVED AS TO FORM**



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Thomas P. Duarte  
City Attorney

**ATTEST**



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Lisa Sherrick  
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, do hereby certify the foregoing Ordinance, being Ordinance No. 2467, was introduced at the December 17, 2019 regular Council meeting and adopted at a regular meeting of the City Council on January 7, 2020, by the following roll call vote:

AYES:	Castellanos, Johnson, Shewmaker, Lopez-Viado, Wu
NOES:	None
ABSENT:	None
ABSTAINED:	None



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Lisa Sherrick  
Assistant City Clerk