

ORDINANCE NO. 1-2015

AN ORDINANCE OF THE SARATOGA FIRE PROTECTION DISTRICT AMENDING ORDINANCE NO 1 – 2014 PERTAINING TO DEFINITIONS OF RESIDENTIAL STRUCTURES, STANDARDS FOR EARLY WARNING ALARM SYSTEMS, REVISING PLAN CHECK REQUIREMENTS AND RESCINDING REQUIREMENT FOR RECORDED NOTICE OF FIRE ALARM SYSTEM.

The Board of Fire Commissioners of the Saratoga Fire Protection District (“the Fire District”) ordains as follows:

SECTION 1: Findings.

The Board of Fire Commissioners hereby finds and determines as follows:

A. On November, 18, 2014, the District Board adopted Ordinance No. 1 – 2014 to amend and restate the requirements for installation and operation of the Early Warning Fire Alarm System (“EWAS”).

B. Requirements for installation and operation of the EWAS are to conform and cooperate with similar requirements of the City of Saratoga. The District has been advised that the City of Saratoga will be revising certain provisions of its EWS Ordinance and has reviewed and approves these changes.

C. The District desires to further amend requirements for installation and operation of the EWAS to conform with similar provisions in effect in the City of Saratoga.

The Board of Fire Commissioners of the Saratoga Fire Protection District therefore ordains as follows:

SECTION 2: Amendment of Section 1: Findings.

Section 1 of Ordinance No. 1 – 2014 is hereby amended by deleting existing paragraph G and adding a new subsection G to read as follows:

“G. The City of Saratoga, through the adoption of the Safety Element of its General Plan, as implemented by the City’s subdivision, zoning and building regulations, has required installation of an Early Warning Fire Alarm System (“EWAS”), in accordance with standards and requirements established from time to time, by the District, in each of the following cases:

- (1) All new residential structures classified as “R” occupancies in the most recent version of the California Building Code, commercial structures and

community facilities located within the designated Wildland – Urban Interface Fire Area.

- (2) Any existing structures classified as “R” occupancies in the most recent version of the California Building Code, commercial structure or community facility which is expanded by 50% or more in floor area and is located within the designated Wildland – Urban Interface Fire Area.
- (3) When required by the Chief of the fire district having jurisdiction over the project, an early warning fire alarm system shall be installed in an existing commercial structure or community facility which is remodeled, or the use thereof is changed, and such commercial structure or community facility, regardless of size, is located within the designated Wildland – Urban Interface Fire Area. The determination by the Fire Chief shall be based upon any one or more of the following considerations:
 - (a) An occupant load increase of 50% or more.
 - (b) New commercial cooking operations.
 - (c) Hazardous material storage for which a permit is required.
 - (d) The principal use involves the care or supervision of building occupants, such as day care facilities for children or senior citizens.

As used above, the term “commercial structure” includes, but is not limited to, office buildings, retail stores, restaurants, repair shops, and industrial buildings, and the term “community facility” includes, but is not limited to, schools, theaters, churches, meeting halls and conference centers. The determination of the floor area and fifty percent expansion shall be made by the City of Saratoga Building Department in accordance with the rules and procedures established in the City’s Building and Zoning regulations.”

SECTION 3: Amendment of Section 2: Standards and requirements for installation and operation of the early warning fire alarm system

Section 2 of Ordinance 1 – 2014 is hereby amended to read as follows:

“SECTION 2: Standards and requirements for installation and operation of the early warning fire alarm system.

Where an early warning fire alarm system is required by the City of Saratoga to be installed in any structure, such system shall comply with the current adopted California Building Code and California Residential Code as amended from time to time by the City of Saratoga.

1. Single-family dwellings. “R – 3 occupancies” shall provide a “Household fire alarm system.” required by the California Residential Code for Smoke Alarms (2013 CRC section R 314) and installed in accordance with NFPA 72 (2010 NFPA 72, chapter 29), or current equivalent adopted code.
2. All occupancies, other than R – 3 listed above shall have the Fire alarm systems installed in accordance with the California Fire Code (2013 CFC Section 907,) with no exceptions allowed for occupant load..

Copies of the adopted standard and requirements for the early warning fire alarm system shall be kept on file and available for distribution to the public at the business office of the District.”

SECTION 4. Amendment of section 6: Recorded Notice of Fire Alarm System.

Section 6 of Ordinance 1 – 2014 is hereby rescinded and a new Section 6 is added to read as follows:

“SECTION 6: Voluntary Installation

Nothing in this Ordinance shall prohibit any person from voluntarily installing and maintaining an early warning fire alarm system as described in this Ordinance in any type of building or structure within the City of Saratoga.”

SECTION 5: Partial Invalidity.

If any, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Fire Commissioners of the Saratoga Fire Protection District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

SECTION 6: Effective Date.

This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption

SECTION 7: Posting and Publication.

Pursuant to Government Code Section 25124 (b) (1), the full text of this Ordinance has been posted in the office of the Clerk of the District for at least five (5) days prior to the date of adoption and a summary of the proposed ordinance was

published at least five (5) days prior to the date of adoption. The District Clerk is instructed to publish a summary of this Ordinance within fifteen (15) days after the date of adoption and to post the full text of this Ordinance in the District Clerk's office, along with the names of the Fire commissioners voting for and against the Ordinance.

The above and foregoing Ordinance was regularly introduced and after the waiting time required by law was thereafter passed and adopted at a regular meeting of the Board of Fire Commissioners of the Saratoga Fire Protection District held on the 26th day of May, 2015, by the following vote:

AYES:
NOES:
ABSENT:

Joe Long, Chairperson

ATTEST:

Trina Whitley, District Clerk

APPROVED AS TO FORM:

Marc Hynes, District Counsel