

DATE: October 31, 2007

TO: Mayor and City Council Members

FROM: Fire Department

SUBJECT: **ORDINANCE NO. 1089 - AN ORDINANCE OF THE CITY OF FOLSOM REPEALING CHAPTERS 8.36 AND 14.18; AND RE-ENACTING CHAPTER 8.36 OF THE FOLSOM MUNICIPAL CODE CONCERNING ADOPTION OF THE INTERNATIONAL FIRE CODE**

BACKGROUND/ISSUE

The purpose of this Ordinance is to consolidate fire safety and building inspection regulations into one chapter of the Folsom Municipal Code and adopt the 2006 International Fire Code pursuant to state law.

Folsom Municipal Code (FMC) Chapter 8.36 – Fire Protection contains provisions relative to building inspections by the fire department that are redundant and conflict with FMC Chapter 14.18. FMC Chapter 14.18 adopted the 1997 Uniform Fire Code and contains provisions relative to building inspections and fire safety. The 2007 edition of the California Fire Code incorporating the 2006 International Fire Code has been published by the California Building Standards Commission and is effective as state law January 1, 2008.

POLICY / RULE

The California Building Standards Commission has amended and adopted the 2006 International Fire Code as the 2007 California Fire Code. California Health & Safety Code Section 18938(b) mandates that Building Standards Codes, including the California Fire Code, are applicable to all occupancies in the State. Health & Safety Code Section 18941.5 allows cities to amend building standards contained in the California Fire Code based on specified criteria prior to the effective date of the codes. Government Code Section 50022.2 grants local agencies the authority to adopt codes by reference.

ANALYSIS

The purpose of this ordinance is two-fold: First, to adopt a fire prevention code for the City of Folsom as required by state law and; second, to consolidate provisions contained in multiple chapters of the Folsom Municipal Code relative to fire safety into one chapter.

Although the Fire Code is primarily a maintenance code containing administrative regulations for fire safety and fire prevention best practices, it also contains building standards relative to fire sprinkler and alarm systems, and buildings used for hazardous materials and processes. The International Fire Code is markedly different from the Uniform Fire Code in the philosophy used in fire protection. The International Codes require "active" fire protection where the Uniform codes required more "passive" fire protection. This means in that circumstances where the Uniform Fire and Building Codes required fire-resistive construction rather than fire sprinklers, the International Codes tend to require fire sprinklers as a preferable fire safety measure over fire resistive construction in similar cases. Staff compared the amendments made to the 1997 Uniform Fire Code to the provisions contained in the 2006 International Fire Code. In developing the amendments for this new code, staff looked to provide an equivalent level of fire and life safety to the citizens of Folsom.

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5, the City Council must supply findings of fact that support the determination that amendments to building standards are necessary because of local climatic, geological and/or topographical conditions. These findings are found within Section 2 of the Ordinance.

The building standards amended by this ordinance include, but are not limited to, modifications related to address identification, fire apparatus access road dimensions and grades, fire extinguishing system requirements, fire alarm system requirements, building projections, outside storage of combustibles, use of temporary tent and membrane structures, and emergency access gates and barriers. The Ordinance also includes the current language related to the Public Safety 800 MHz Radio Amplification System Section, and adds a new Section regarding the use of fuel storage tank systems.

This ordinance also amends administrative provisions relative to permits, contract inspectors, inspections and maintenance. Although violation of any section of the current fire code is a misdemeanor, staff identified over sixty sections of the International Fire Code to be designated as infractions as the more appropriate penalty. These include such violations as smoking in prohibited locations, obstructing fire lanes, failure to mount fire extinguishers, failure to post occupant load or "No Smoking" signs, and similar relatively minor violations.

The attached ordinance repeals Chapter 14.18 of the Folsom Municipal Code pertaining to the Folsom Fire Code in its entirety. FMC Title 14 covers Buildings and Construction. While there are some building standards in the Fire Code, primarily in the area of fire protection systems, the majority of the Fire Code contains administrative fire and life

safety provisions dealing with the control of ignition sources, flammable and combustible materials, occupant responsibilities and other fire prevention best practices.

This ordinance repeals Chapter 8.36 pertaining to Fire Protection and re-enacts Chapter 8.36 pertaining to the Folsom Fire Code. FMC Chapter 8.36 contains provisions for the inspection of buildings, abatement of fire hazards, maintenance of fire protection devices, maintenance of fire extinguishers, and the issuance of permits. Many of these provisions date from 1967 and are superseded the California Fire Code. This presents problems for the public and the Fire Department due to the antiquated and conflicting provisions in FMC 8.36 versus the California (and Folsom) Fire Code. FMC Chapter 8.36 is a logical location for the City's fire prevention code. By consolidating two similar, yet contradictory chapters into one, the public will obtain current and relevant information.

In summary, staff believes that the amendment and adoption of the 2006 International Fire Code, as amended by the State of California and published as the California Fire Code, is necessary to provide a reasonable and prudent level of fire and life safety to citizens and visitors to the City of Folsom.

FINANCIAL IMPACT

The impact of adopting the 2006 International Fire Code with local amendments should not cause any significant impact over the implementation of the 2007 California Fire Code as required by state law. However, the continued use of the 1997 Uniform Fire Code could cause an adverse impact to business because of the differences in fire safety philosophy between the two codes in some areas related to fire protection in new buildings.

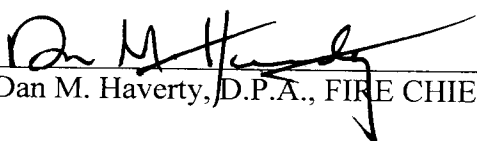
ATTACHMENTS

1. Ordinance No. 0000 - An Ordinance Of The City Of Folsom Repealing Chapters 8.36 And 14.18; And Re-Enacting Chapter 8.36 Of The Folsom Municipal Code Concerning Adoption Of The California Fire Code.

RECOMMENDATION – CITY COUNCIL ACTION

Staff recommends that the City Council conduct the First Reading of Ordinance No. 0000 - An Ordinance Of The City Of Folsom Repealing Chapters 8.36 And 14.18; And Re-Enacting Chapter 8.36 Of The Folsom Municipal Code Concerning Adoption Of The California Fire Code.

Respectfully Submitted,


Dan M. Haverty, D.P.A., FIRE CHIEF

ORDINANCE NO. 1089

**AN ORDINANCE OF THE CITY OF FOLSOM
REPEALING CHAPTERS 8.36 AND 14.18; AND RE-ENACTING CHAPTER 8.36 OF
THE FOLSOM MUNICIPAL CODE CONCERNING ADOPTION OF
THE INTERNATIONAL FIRE CODE**

The City Council of the City of Folsom hereby does ordain as follows:

SECTION 1 PURPOSE

The purpose of this ordinance is to repeal Chapters 8.36 and 14.18 of the Folsom Municipal Code (the "Code") pertaining to Fire Protection and the Uniform Fire Code in their entirety and re-enact Chapter 8.36 pertaining to the International Fire Code .

Chapter 14.18 pertaining to the Uniform Fire Code will be repealed in its entirety. Chapter 8.36 pertaining to Fire Protection shall be repealed in its entirety and re-enacted to adopt of the 2006 edition of the International Fire Code, with amendments by the State of California, to provide for the safeguarding of life and property from fire and explosion hazards and from conditions hazardous to life and property in the occupancy of buildings and premises in the City of Folsom.

SECTION 2 FINDINGS

In connection with the amendments enacted by Section 8.36.080 relating to the 2007 Edition of the California Fire Code and its selected appendices, the Folsom City Council makes the following findings pursuant to Health and Safety Code Section 17958.5, 17958.7 and 18941.5. Such changes are reasonably necessary because of local climatic, geological and/or topographical conditions. The Folsom City Council hereby adopts, pursuant to Section 18941.5 of the California Health and Safety Code, the following findings of fact:

A. Under this adopting ordinance, specific amendments to building standards are more restrictive than those contained within the 2006 Edition of the International Fire Code with those amendments as adopted by the California Building Standards Commission and published as the 2007 Edition of the California Fire Code. These amendments to the International Fire Code have been recognized by the City of Folsom to address the fire problems, concerns, and future direction by which the City can establish and maintain an environment that will afford an acceptable level of fire and life safety to all who live and work within its boundaries.

B. The International Code Council promulgates the International Fire Code. The International Code Council has conducted open code hearings that permit participation by National, State, and local code officials; as well as industry representatives, consultants, and other private parties with an interest in the International Fire Code.

C. The International Fire Code, being the 2006 edition thereof, published by the International Code Council is a nationally recognized compilation of proposed rules, regulations and standards promulgated through an open and participatory process.

D. The International Fire Code has been printed and published as a Code in book form within the meaning of Section 50022.1 of the Government Code of the State of California.

E. Under the provisions of Section 18941.5 of the Health and Safety Code, local amendments are based on climatic, topographical and geological conditions. The findings of fact contained herein address each of these situations and present the local situation, which, either singularly or in combination, caused the aforementioned amendments to be adopted.

1. **CLIMATIC:**

- (a.) Climate has one of the greatest impacts to fire behavior and other major emergency events because it cannot be controlled. Average yearly rainfall for Folsom is approximately 18 inches and typically occurs from October to April. Low-level fog is present throughout the winter months and frequently causes visibility to be reduced. This fog, in conjunction with cold temperatures, may also cause freezing and slick roadways. These weather related conditions may cause delays for emergency responders and have resulted in numerous vehicle accidents.
- (b.) Summers are arid and warm and there is generally no measurable precipitation. Temperatures for this dry period range from 70 to 112 degrees F and are frequently accompanied by light to gusty Delta winds. The relative humidity during summer month's range from 2 to 30 mmHG, which is arid. The City contains thousands of acres of open space, which, in conjunction with the dry and windy conditions create hazardous situations culminating in grass and brush fires. Wind driven fires have led to serious consequences in similar areas of the State.
- (c.) The Sacramento region has extreme variations in weather patterns too. Summers are arid and warm, winters are cool to freezing, fall and spring can bring any combination of weather pattern together. It is this cyclical uncertainty that allows weather events such as the rapid melting of the snow pack which causes flooding in the low-lying valley areas of Sacramento County. The doubling of average rainfall called an "El Nino" event has occurred from time to time and does cause the grass to mature and grow in excess of six feet high before it dries out. Ten square feet of this type of fuel is equivalent to the explosive force of one gallon of gasoline.
- (d.) Climate is one of the greatest impacts to fire behavior and other major emergency events because it cannot be controlled. The drying out of wood shakes and wildland fuels in the summer months allows for easy ignition.

2. **TOPOGRAPHICAL:**

- (a.) Several topographical features bisect the City, including the American River, Lake Natoma and Folsom Lake, as well as creeks, natural parkways, open space, bridges, and railroad tracks. Traffic has to be channeled around several of these topographical features and limitations, which create traffic congestion and delays emergency response. These features are located between many of the fire stations located within the City of Folsom.

- (b.) With the new OSHA "two in-two out" rule requiring two fire fighters ready to affect a fire attack, only when two others are present, it is imperative to minimize the impact of delays affecting the timely response of the fire fighters.
- (c.) Increasingly heavy traffic congestion on the City's major streets already acts as a barrier to timely response for fire and emergency vehicles. Currently, access to the north area of the City is limited to a two-lane bridge across the American River and a four-lane bridge across the American River. Most roadways are expected to double their traffic flow within the next ten years.
- (d.) Preservation of wetland areas, natural parkways, riparian corridors along rivers/streams, vernal pools, open space and endangered species habitat have all contributed to access problems as well as exemption from vegetation abatement programs. These situations, though very environmentally important, do increase the demands on the fire service due to the extreme fire hazard created by fuel loading and limited access.
- (e.) More development is extending from the urban core into the grass-covered areas and brush/tree covered canyons such as the East Area and American River Parkway, where every 20-percent increase in slope doubles the rate of fire spread.
- (f.) Large areas of rural open space and rolling hills with residential development significantly increase response times. Available infrastructure features, such as water supplies, do not provide sufficient fire flow in these areas. The rural geographical areas not yet provided with adequate fire protection are subject to a higher degree of risk without mitigating measures.

3. GEOLOGICAL:

- (a.) The City is located in the northeastern portion of Sacramento County and is bordered by Folsom Lake, Placer and El Dorado Counties. The City is made of several distinct areas, each unique in its own way. Many of these are gated communities designed for security, not for expedient emergency response. Some of these access points are remote from main emergency response routes, extending response times. A first alarm assignment draws three fire engines, two ladder truck and a medic unit, emptying all fire stations in the City of Folsom. If the situation intensifies, through simultaneous requests for service, long term commitments to emergencies, out of service emergency vehicles, etc., extended response times will occur.
- (b.) The Sacramento Area is subject to ground tremors from seismic events as the County is in Seismic Zone 3. Water inundation has occurred in the portion that lay in river Delta areas. Intricate levee systems hold back a portion of the floodwater, however, development has moved into areas that have the potential for flooding.

F. The City's proximity to adjoining agencies reduces the amount of fire and medical resources that are typically available within more densely populated areas. A seamless fire protection system within Sacramento County and mutual-aid agreements with neighboring county fire agencies allow for additional support but also reduces coverage of fire stations during initial and multiple response incidents either in the City or other jurisdictions. Resources from

both El Dorado and Placer Counties are limited mainly by the size of the fire agencies, the rural/urban development, and extended response times.

G. The water supply in the City of Folsom makes extensive use of automatic fire sprinkler systems feasible. The area is favored with sources of high quality water from private and municipal water companies.

H. The National Fire Protection Association statistics indicate that automatic fire sprinkler systems established an efficiency record of approximately 96% satisfactory performance in the United States during the past 78 years since 1925.

I. Based on the afore-cited local climatic, topographical and geological conditions, those specific amendments as specified in the amendments to this ordinance for the 2007 California Fire Code, are considered reasonable and necessary modifications to the requirements established pursuant to Section 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence of fire, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property and protection of the environment.

J. California Health and Safety Code Section 17958.7 requires that modifications or changes to building standards as defined in Health and Safety Code Section 18909 be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the following table provides code sections that have been modified, and the associated conditions for modification due to local climatic, geological and topographical reasons.

<u>Section Number</u>	<u>Local Climatic/ Geological/Topographical Condition</u>
504.4	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
505.1	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
505.1.1	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
505.1.2	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
510.2	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
603.6.6	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
903.2.7.1	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
903.2.18	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
903.2.18.1	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B

903.4	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
903.4.1	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
903.4.2	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
907.2.28	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
907.2.28.1	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
907.3.1.11	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
B105.2	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B
TABLE C105.1	1A, B, C, D; 2A, B, C, D, E & F; 3A, & B

k. Based on the aforementioned local climatic, topographical, geological conditions and facts, those specific amendments as specified in this ordinance for the 2006 Edition of the International Fire Code as amended and adopted by the California Building Standards Commission as the 2007 Edition of the California Fire Code, are considered reasonable and necessary modifications to the requirements established pursuant to Section 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence of fire, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property and protection of the environment.

l. In connection with the amendments enacted by Section 2 relating to the 2006 Edition of the International Fire Code as amended and adopted by the California Building Standards Commission as the 2007 Edition of the California Fire Code, and its selected appendices, the City Council makes the following findings pursuant to Health and Safety Code Section 17958.5, 17958.7 and 18941.5.

(aa). The changes are reasonably necessary because of local climatic, topographical or geological conditions. The City Council hereby adopt pursuant to Section 18941.5 of the California Health and Safety Code, the following findings of fact:

(bb). Under this adopting ordinance, specific amendments have been established which are more restrictive than those adopted by the State of California (State Buildings Standards Code, State Housing & Community Development Codes) commonly referred to as Title 24 & Title 25 of the California Code of Regulations.

(cc). These amendments to the 2006 Edition of the International Fire Code as amended and adopted by the California Building Standards Commission as the 2007 Edition of the California Fire Code, have been recognized by the City of Folsom to address the fire problems, concerns and future direction by which the City can establish and maintain an environment which will afford a level fire and life safety to all who live and work within its boundary.

(dd). The Findings of Fact are filed separately with the California Building Standards Commission and City Clerk for the City of Folsom.

SECTION 3 ADOPTION OF FOLSOM FIRE CODE

Chapter 14.18 is repealed. Chapter 8.36 is repealed and re-enacted to the Municipal Code to read as follows:

8.36.010 SHORT TITLE

This chapter shall be known and cited as the "Folsom Fire Code."

8.36.020 INTERNATIONAL FIRE CODE – ADOPTED BY REFERENCE

There is hereby adopted by the City Council of the City of Folsom for the purpose of prescribing regulations 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 that certain code known as the 2006 Edition of the International Fire Code with amendments adopted by the California Building Standards Commission and published as the 2007 Edition of the California Fire Code, together with Appendix Chapters 1 and 4; Appendices B, C, H; and all other chapters, supplements and errata save and except such portions as hereunder deleted, modified, or amended, is hereby adopted by reference.

8.36.030 ENFORCEMENT

The Fire Chief of the City is designated as the Chief Fire Official of the City. The Fire Chief and his/her designated representatives shall have all the powers of peace officers in enforcing this chapter and may issue orders, notices, citations and make arrests for violations within the incorporated area of the City of Folsom.

8.36.040 DEFINITIONS

(a) Whenever the words "Fire Code" is used in this ordinance, it shall mean the 2006 Edition of the International Fire Code with those amendments adopted by the California Building Standards Commission and published as the 2007 Edition of the California Fire Code.

(b) Wherever the word "municipality" is used in the Fire Code, it shall mean the incorporated areas in the City of Folsom.

(c) Wherever the words "Fire Code Official" or "Chief" are used in the Fire Code, they shall mean the Fire Chief of the City of Folsom, or their designated representatives.

(d) Wherever the words "Deputy Fire Code Official" are used in the Fire Code, they shall mean the Fire Marshal who shall be an officer of the Fire Department, appointed by the Fire Chief of the City of Folsom.

(e) Wherever the words "Department of Fire Prevention" are used, they shall mean the Fire Prevention Division of the City of Folsom Fire Department.

8.36.060 PENALTIES

Any person who violates any of the provisions of the code adopted by Section 8.36.020, or fails to comply therewith, or who violates or fails to comply with any order made hereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved hereunder, or any certificate or permit issued hereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the City Council or by a court of competent jurisdiction within the required time, is severally for each and every such violation and noncompliance respectively, guilty of a misdemeanor, unless that provision has been identified as an infraction, and punishable as provided in Section 8.36.080 of this code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified each day that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

8.36.070 REPEAL OF CONFLICTING ORDINANCES

All former fire prevention ordinances or parts thereof conflicting or inconsistent with the provisions of this chapter or of the code adopted by this chapter are repealed.

8.36.080 AMENDMENTS, ADDITIONS, DELETIONS

APPENDIX CHAPTER 1, being adopted in its entirety, is amended as follows:

SECTION 101 – GENERAL is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Folsom Fire Code, hereinafter referred to as "this code."

SECTION 104 – GENERAL AUTHORITY AND RESPONSIBILITIES is hereby amended by adding the following to read:

104.7.2.1 Contract Inspector. The Chief or his/her designated representatives may require the owner or the person in possession or control of the building or premise to provide, without charge to the fire department, a special inspector ("Contract Inspector"), when the department has no technical expertise available to conduct the required inspections.

The Contract Inspector shall be a qualified person who shall demonstrate his/her competence to the satisfaction of the Chief, for inspection of a particular type of construction, operations, fire extinguishing or detection system, or process.

Duties and responsibilities of the Contract Inspector shall include but not be limited to the following:

(a) The Contract Inspector shall observe the work assigned for conformance with the approved design drawings and specifications.

(b) The Contract Inspector shall furnish inspection reports to the Fire Chief, Chief Building Official, and other designated persons as required by the Chief. All discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority, Fire Chief, and to the Chief Building Official.

(c) The Contract Inspector shall submit a final signed report stating whether the work requiring inspection was, to the best of his/her knowledge, in conformance with the approved plans and specifications and the applicable workmanship provision of this code.

SECTION 104 – GENERAL AUTHORITY AND RESPONSIBILITIES is hereby amended to read:

104.8 Modifications. The Chief may modify any of the provisions of the Fire Code upon application in writing by the owner or lessee, or their duly authorized agent, when the Chief determines there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief thereof shall be entered upon the records of the department and a signed copy shall be furnished by the applicant.

For the purposes of this section, the cost of compliance with the provisions of the Fire Code shall not constitute a practical difficulty.

104.10 Fire investigations. The Chief or his/her designated representative shall investigate the cause, origin, and circumstances of every fire, explosion, or other hazardous condition.

SECTION 105 - PERMITS is hereby amended to read:

105.2.2 Inspection required. Before an operational permit is issued, the Chief may inspect and approve the receptacles, vehicles, buildings, devices, premises, locations, storage spaces or areas to be used. Where statutes, ordinances, or regulations are enforced by departments or agencies other than the fire department, approval shall be obtained from those department or agencies.

105.6.30 Open burning. An operational permit is required to for the kindling or maintaining of any open fire or a fire in any public street, alley, road, park, or other public or private property. Conditions on the permit shall be adhered to.

SECTION 105 - PERMITS is hereby amended by adding the following to read:

105.6.48 Activities in hazardous fire areas. An operational permit is required to conduct activities in hazardous fire areas when, in the opinion of the Chief, it is necessary to preserve the public health, safety, or welfare. Hazardous fire area shall mean land covered with grass, grain, brush, or forest, whether privately or publicly owned which is so situated or is of such

inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion.

105.6.49 Motion picture and other filming. An operational permit is required to conduct activities related to the production of motion pictures, televisions, commercials, and similar productions.

105.7.14 Fire apparatus access roads. A construction permit is required to construct, alter or remove a private fire apparatus or other emergency vehicle access road required by Section 503.1 or Folsom Municipal Code Section 17.57.080. For purposes of this requirement, altering shall include the installation of traffic calming systems such as stop signs, speed bumps, humps, pillows, roundabouts, traffic circles, diverters and other traffic delaying measures.

105.7.15 Outdoor fireplaces. A construction permit is required for the installation or modification of an outdoor fireplace which is designed or used to burn solid fuels.

SECTION 106 - INSPECTIONS hereby amended by adding the following to read:

106.2.1 Administrative costs. When a test or inspection is scheduled and the contractor fails to perform to the satisfaction of the Chief or their designee, the contractor will be liable for all costs incurred by the Fire Department for that test or inspection and the Chief may submit a bill for said costs.

SECTION 107 - MAINTENANCE is hereby amended by adding the following to read:

107.7 Occupant count. The supervisor of each place of assembly shall have an effective system to keep count of the number of occupants present in the assembly area. If at any time, the Chief determines that an accurate count of occupants is not being maintained, the occupancy shall be cleared until an accurate count can be made.

107.8 Fire Safety Officers. When in the opinion of the Chief it is necessary for the preservation of life or property, due to the hazardous nature of an event, production, operation or function, the Chief shall require the owner or lessee to employ or cause the employment of one or more approved fire safety officers to be on duty at such place during the hazardous activity.

SECTION 108 – BOARD OF APPEALS is hereby amended to read:

SECTION 108 – APPEALS

108.1 Appeals. Whenever the Chief, or their designee, disapproves an application, refuses to grant a permit applied for, or when it is claimed that the provisions of this Chapter or the Fire Code do not apply or that the true intent and meaning have been misconstrued or wrongly interpreted, the affected party shall follow the procedures set forth in Chapter 1.09 of the Folsom Municipal Code.

SECTION 109 - VIOLATIONS is hereby amended by adding the following to read:

109.2.3.1 Citations. The Chief, and his or her duly authorized representative, may issue citations for infractions or misdemeanor violations of the Fire Code pursuant to Chapter 5C

(commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code of the State of California.

SECTION 109 - VIOLATIONS is hereby amended to read:

109.3 Violation penalties. Any persons who violates a provision of the Fire Code or fails to comply with any of the requirements thereof, or erects, installs, alters, repairs, or does work in violation of the approved construction documents or directive of the fire code official, or of a permit or license used under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than \$1000 or imprisonment not to exceed six months, or both, unless such violation is declared to be an infraction by Chapter 48 of the Fire Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified each day that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 111 – STOP WORK ORDER hereby amended to read:

111.4 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 remove a violation or unsafe condition, is guilty of a misdemeanor and shall be liable for a fine of not less than 500 dollars or more than 1000 dollars.

CHAPTER 2, SECTION 202 – GENERAL DEFINITIONS is hereby amended by adding the following to read:

ELECTRONIC MONITORING SYSTEM shall mean an approved method to electronically detect and transmit to an approved alarm service provider's Type A (listed) Central Station, information indicating that the automatic fire sprinkler system or electronic fire detection system has been activated and shall have the ability to relay the alarm to the Sacramento Regional Fire/EMS Communications Center in an approved manner.

QUALIFIED ATTENDANT shall mean an individual that has been trained in the proper methods of the handling, storage and dispensing of any material, product or substance regulated by the code. These shall include, but not be limited to ammonia, chlorine, cryogenic fluids, flammable and combustible liquids and gases. Said attendant must be able to demonstrate to the satisfaction of the Fire Chief that he or she possesses adequate knowledge in the subject area.

SINGLE-PREMISES is a contiguous property under one ownership.

WASTE OIL is a Class III-B waste liquid resulting from the use of Class III-B combustible liquids such as waste motor oil, hydraulic oil, lubricating oil, brake fluids and transmission fluids. It does not include the products classified as Class I, II or III-A liquids or corrosives, toxic or highly toxic materials as defined in Article 80.

CHAPTER 2, SECTION 202 – GENERAL DEFINITIONS is hereby amended to read:

FALSE ALARM shall mean the giving, signaling or transmission to any public fire station or company or to any officer or employee thereof, whether by telephone, spoken word or otherwise, information to the effect that there is a fire, medical emergency, rescue request, or other need for emergency service at or near the place indicated by the person giving, signaling, or transmitting such information, and there is found to be no need for emergency services.

CHAPTER 3, SECTION 304 – COMBUSTIBLE WASTE MATERIAL is hereby amended to read:

304.1.2 Vegetation. Weeds, grass, vines, brush or other growth that is capable of being ignited shall be cut down and removed by the owner or occupant of the property. Vegetation clearance requirements shall be in accordance with Folsom Municipal Code Chapter 8.37 and the International Wildland-Urban Interface Code.

CHAPTER 3, SECTION 311 – VACANT PREMISES is hereby amended by deleting Exceptions 1 and 2 to Section 311.2.2 to read:

311.2.2 Fire protection. Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.

CHAPTER 3, SECTION 315 – MISCELLANEOUS COMBUSTIBLE MATERIALS STORAGE is hereby amended to read:

315.3 Outside storage. Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a structure or property line.

CHAPTER 3, SECTION 315 – MISCELLANEOUS COMBUSTIBLE MATERIALS STORAGE is hereby amended by adding the following to read:

315.3.3 Maximum pile size. The maximum single pile dimension for outside storage of combustible materials, including pallets, shall be 25 feet X 100 feet or 2,500 square feet.

CHAPTER 5, SECTION 503 – FIRE APPARATUS ACCESS ROADS is hereby amended to read:

503.2.1 Dimensions. Fire apparatus and emergency vehicle access roads required by this section and Folsom Municipal Code Section 17.57.080 shall have an unobstructed continuous width of not less than 27 feet (8230 mm) for all major / primary driveway aisles and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

EXCEPTION: 1. Vertical clearance may be reduced, provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.

2. Vertical clearances or widths shall be increased when, in the opinion of the chief, vertical clearances or widths are not adequate to provide fire apparatus access.

503.2.7 Grade. The gradient for a fire apparatus access road shall not exceed 12 %. Where said fire apparatus access road directly fronts the exterior of a building two or more stories in height, the gradient for a fire apparatus access road shall not exceed 9 %.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the Chief. The design and operation of gates and barricades shall be in accordance with the Sacramento County Emergency Access Gates and Barriers Standard.

CHAPTER 5, SECTION 503 – FIRE APPARATUS ACCESS ROADS is hereby amended by adding the following to read:

503.2.1.1 Group R-3 subdivisions. Fire apparatus and emergency vehicle access roads in subdivisions comprised solely of Group R-3 occupancies shall have an unobstructed continuous width of not less than 24 feet (7315 mm) and unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.1.2 Other fire and emergency access roads. All other fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.5.1 Length. The maximum length of any dead end shall not exceed 500 feet.

503.5.3 Obstruction of gates and barricades. Gates or barricades required by Section 503 shall not be obstructed in any manner, including the parking of vehicles. A “FIRE DEPARTMENT ACCESS – DO NOT BLOCK” sign shall be posted on the gate or barricade when required by the Chief.

CHAPTER 5, SECTION 504 – ACCESS TO BUILDING OPENINGS AND ROOFS is hereby amended by adding the following to read:

504.4 Building projections. Cornices, parapets, eave openings, and similar projections from a building shall be designed to support a 330 pound horizontal and vertical load to the leading edge of the projection. This represents a 250-pound firefighter carrying 80 pounds of equipment stepping off of a ladder placed against the projection onto the top of the projection.

CHAPTER 5, SECTION 505 – PREMISES IDENTIFICATION is hereby amended to read:

505.1 General. Approved numbers or addresses shall be placed prior to occupying on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Numbers for one- and two-family dwellings shall be a minimum of 4 inches high. Numbers for all other buildings shall be no less than 6 inches high. The Chief may require an increase in building address or number size when necessary due to building size or arrangement, or due to distance from the public way.

CHAPTER 5, SECTION 505 – PREMISES IDENTIFICATION is hereby amended by adding the following to read:

505.1.1 Multiple tenant buildings. Multiple tenant spaces serviced by vehicular access to the rear through any driveway, alleyway, or parking lot shall have numbers or addresses placed prior to occupancy on all new and existing buildings as to be plainly visible and legible from the rear access way when deemed necessary by the Chief. Multiple tenant spaces serviced by rear access through a corridor, exit court, or exit yard shall have approved numbers or addresses displayed on the rear of the tenant space, when deemed necessary by the Chief.

Multiple tenant spaces that front on interior walkways or pedestrian malls shall have approved numbers or addresses placed over the entrance door in all new and existing buildings. An illuminated annunciator or directory board shall be required at every entrance where deemed necessary by the Chief.

505.1.2 Illumination. Address numbers shall be illuminated at night in all new buildings. Signs shall be internally or externally illuminated. When the luminance or the face of a sign is from an external source, it shall have an intensity of not less than 5.0 foot-candles. Internally illuminated signs shall provide equivalent luminance.

CHAPTER 5, SECTION 510 – FIRE DEPARTMENT ACCESS TO EQUIPMENT is hereby amended by adding the following to read:

510.2 Fire control room. Fire sprinkler risers and fire alarm control panels shall be located inside a room with minimum dimensions of five feet by seven feet. The room shall only be accessible from the exterior and provided with a door with a clear width of not less than 32 inches and height of not less than 80 inches. A durable sign shall be affixed to the exterior of the door with the words "FIRE CONTROL ROOM" in letters not less than 3 inches in height. A key box complying with Section 506 shall be installed adjacent to the door.

The room must be capable of maintaining a minimum temperature of 40 degrees Fahrenheit. A clearance of 12 inches shall be provided from the fire sprinkler risers to any adjacent walls. This room can be a shared with other building utilities or fire protection equipment that is not incompatible. An approved cabinet or container shall be provided to store record plans of the fire sprinkler system and other fire protection equipment. This room shall not be used for any other storage.

CHAPTER 6, SECTION 603 – FUEL-FIRED APPLIANCES is hereby amended by adding the following to read:

603.6.6 Spark arrestors. Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required for incinerators by the Mechanical Code.

SECTION 901 – GENERAL is hereby amended by adding the following to read:

901.6.3 Service contracts. A service contract shall be secured and maintained by the building owner to provide for maintenance, inspection and testing of all fire protection systems. A copy of the contract shall be provided to the Chief prior to occupancy.

SECTION 903 – AUTOMATIC SPRINKLER SYSTEMS is hereby amended by adding the following to read:

903.2.18 Required locations. An approved automatic fire sprinkler system shall be installed in all buildings 3,600 square feet in floor area or larger, except one and two family dwelling buildings, which will require an automatic fire extinguishing system when the building meets or exceeds the total area requirements found within Subsection 903.2.7.1.

- a. For the provisions of this section, two or more buildings, except one and two family dwellings, existing entirely within the property lines of one parcel shall be considered a single building when exterior wall protection is not provided and the aggregate floor area exceeds 3,599 square feet (334.48 m²) when applying California Building Code Section 503.1.2
- b. For the provisions of this section, fire barriers or fire walls shall not apply to eliminate the installation of an automatic fire sprinkler system.
- c. For the purposes of this section, Section 903.2.1 shall be used to identify required installations unless there exists a specific requirement of Section 903 relative to use or occupancy that provides a higher degree of protection, in which case that section shall be applied.

Exception: Non-combustible, detached canopies open on four sides, not exceeding the basic allowable square footage in CBC Table 503, used exclusively for the parking or storage of private or pleasure vehicles and non-combustible storage (includes fuel islands).

903.2.18.1 Existing Buildings. In existing buildings, where an automatic fire extinguishing system does not exist, and the floor area of the building or structure is increased by more than fifty percent (50%) or 1,800 square feet, whichever is less, or when alterations or repairs within any 12-month period exceed fifty percent (50%) of the value of the existing building or structure, such building or structure shall be made to conform to Section 903.2.1.

903.2.7.1. One and two family dwellings. An approved automatic fire sprinkler system shall be installed within all new one and two family residential buildings when the total covered floor area exceeds 5,999 sq. ft. or the total interior floor area, excluding garages, exceeds 4,999 sq. ft. Automatic fire sprinkler systems for one and two family residential buildings shall be designed and installed to the standards found within NFPA 13-D.

SECTION 903 – AUTOMATIC SPRINKLER SYSTEMS is hereby amended to read:

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.

903.4.1 Signals. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved and listed central station, remote supervising station or proprietary supervising station as defined in NFPA 72.

903.4.2 Alarms. Approved audible and visual alarm notification devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. An audible and visual alarm notification device shall be provided on the exterior of the building in an approved location. An audible and visual alarm notification device shall be provided in the interior of the building within each dwelling unit or tenant space and on each level in approved locations.

CHAPTER 9, SECTION 903 – AUTOMATIC SPRINKLER SYSTEMS is hereby amended by deleting **Section 903.3.1.2 – NFPA 13R SPRINKLER SYSTEMS** in its entirety.

CHAPTER 9, SECTION 907 – FIRE ALARM AND DETECTION SYSTEMS is hereby amended by adding the following to read:

907.2.28 All buildings . An approved monitored fire alarm and detection system shall be installed in all buildings not protected by an automatic sprinkler system with the exception of R-3 occupancies. Buildings with a floor area less than 500 square feet may be exempt, as determined by the Chief, based on building construction material and features, location, occupancy type, and distance to exposures.

907.2.28.1 Fire alarm control panel location. The fire alarm control panel shall be located inside of a room or closet with an exterior access door with a clear opening width of no less than 32 inches. This room may be shared with other building utilities. Durable signage shall be provided on the exterior of the door stating “FIRE ALARM PANEL” in letters 3 inches in height and contrasting to the background.

907.3.1.11 All existing buildings. In existing buildings, other than one or two-family dwellings, where a monitored fire alarm and detection system does not exist and the floor area of the building or structure is increased by more than fifty percent (50%) or 1,800 square feet, whichever is less, or when alterations or repairs within any 12-month period exceed fifty percent (50%) of the value of the existing building or structure, such building or structure shall be made to conform to Section 907.2.28.

CHAPTER 14, SECTION 1410 – ACCESS FOR FIREFIGHTING is hereby amended to read:

1410.1 Required access. Fire and emergency access roads shall be installed and maintained in accordance with Section 503 and Folsom Municipal Code Section 17.57.080.

EXCEPTION: When approved, temporary fire and emergency vehicle access roads may be used until permanent roads are installed. Temporary access roads shall be provided with an all weather road surface of 2 inches of asphalt concrete over 6 inches of 95% compacted aggregate base from October 1st through April 30th each year. Temporary access roads may be provided with an all weather road surface of 6 inches of 95% compacted aggregate base from May 1st through September 30th each year.

1410.3 Premise identification. Prior to and during construction, an approved address sign shall be provided at each fire and emergency vehicle access road entry into the project.

CHAPTER 14, SECTION 1412 – WATER SUPPLY FOR FIRE PROTECTION is hereby amended to read:

1412.1 When required. Required fire hydrants shall be installed and accepted prior to combustible materials arriving on site or vertical construction commencing.

CHAPTER 48 – INFRACTIONS is hereby added to read as follows:

SECTION 4801 - SCOPE

In accordance with Section 109.3 of this code, violation of the following sections shall be infractions punishable by a fine of one hundred dollars:

Section	Offense
107.7	Occupant count
307.1.1	Prohibited open burning
307.5	Attendance - open burning
308.2.1	Throwing or placing sources of ignition
308.3.1	Open-flame cooking devices
308.6.5	Fire protection – flaming food
309.4	Fire extinguishers – industrial trucks and equipment
310.2	Prohibited areas – smoking
310.4	Removal of signs prohibited
310.5	Compliance with “No Smoking” signs
503.4	Obstruction of fire apparatus access roads
503.5.1	Secured gates and barricades
503.5.3	Obstruction of gates and barricades
505.1	Address numbers
508.5.4	Obstruction – fire protection equipment
604.3	Maintenance – emergency power systems
605.3	Obstructing electrical service equipment
605.4	Multiplug adapters
605.5	Extension cords
605.6	Unapproved conditions – outlets and junction boxes
605.10.4	Prohibited areas – electric space heaters
606.7	Emergency signs – mechanical refrigeration
703.1	Maintenance of fire resistant construction
703.2	Fire doors – obstructing or impairing operation
703.3	Decorative materials attached to fire-rated ceilings
901.4.4	Imitation fire protection device
901.7	Failure to notify fire department
904.11.6.3	Cleaning of grease removal devices, hoods, and ducts
905.7	Obstructing or obscuring fire appliance cabinets
906.6	Obstructing or obscuring fire extinguishers

907.7	Mounting of fire extinguishers
907.20.1	Maintaining fire alarm system
1004.3	Posting of occupant load sign
1009.5.3	Storage under exterior exit stairways
1028.4	Maintenance of exit signs
1028.5	Obstructing or obscuring exits
1404.1	No smoking – construction and demolition areas
1404.2	Combustible waste disposal
1417.3	Fire extinguisher – roofing operations
1503.2.6	No smoking – flammable finishes
1503.2.7	No welding signs – flammable finishes
1503.4.3	Combustible waste and residue
1504.4.1	Fire extinguishers – spraying areas
1504.7.8.5	Disposal of used filters
1505.4.1	Dip-tank covers
1505.4.2	Fire extinguishers – dipping operations
1506.4.2	Fire extinguisher – powder coating operations
1506.5	Dust accumulation – powder coating operations
1703.3	Failure to notify fire department
2204.4.1	Dispensing flammable liquid into unapproved container
2204.4.3	Location of portable container while dispensing
2211.3.2	No smoking – repair garage
2403.12.6	Posting of exit signs – tents
2403.12.6.1	Exit sign illumination
2604.2.6	Fire extinguisher – hot work areas
3003.5.3	Securing compressed gas containers
3003.4	Marking of compressed gas containers
3404.2.3.1	Posting no smoking signs - flammable and combustible liquids
3503.1.4.2	Posting no smoking signs – flammable gases
3807.2	No smoking – LPG containers
3807.3	Clearance from combustible material – LPG containers

APPENDIX B, SECTION B105 - FIRE FLOW REQUIREMENTS FOR BUILDINGS is hereby amended to read:

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

EXCEPTION: A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1.

APPENDIX C, TABLE C105.1 – NUMBER AND DISTRIBUTION OF FIRE HYDRANTS
is amended to read:

**TABLE C105.1
NUMBER AND DISTRIBUTION OF FIRE HYDRANTS**

FIRE-FLOW REQUIREMENT	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS ^{a,b,c} (feet)	MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO HYDRANT ^d
1,750 or less	1	300	150
2,000-2,250	2	300	150
2,500	3	300	150
3,000	3	300	150
3,500-4,000	4	300	150
4,500-5,000	5	300	150
5,500	6	300	150
6,000	6	250	150
6,500-7,000	7	250	150
7,500 or more	8 or more ^e	200	120

4.18.090 PUBLIC SAFETY 800Mhz RADIO BUILDING AMPLIFICATION SYSTEM

(a) **GENERAL.** Except as otherwise provided, no person shall erect, construct, change the use of or provide an addition of more than 20% to any building or structure or any part thereof, or cause the same to be done which fails to support adequate radio coverage for Sacramento Regional Radio Communications System, including but not limited to firefighters and police officers. For purposes of this section, adequate radio coverage shall include all of the following: 1) a minimum signal strength of -95 dBm available in 90% of the area of each floor of the building when transmitted from the closest Sacramento Regional Radio Communications System site; 2) a minimum signal strength of -95 dBm received at the closest Sacramento Regional Radio Communications site when transmitted from 90% of the area of each floor of the building; 3) the frequency range which must be supported shall be the current band of frequencies used by either City or County systems; and 4) a 100% reliability factor. When measuring the performance of a bi-directional amplifier, signal strength measurements are based on one input signal adequate to obtain a maximum continuous operating output level.

(b) **Amplifications Systems Allowed.** Buildings and structures, which cannot support the required level of radio coverage shall be equipped with either a radiating cable system or an internal multiple antenna system with or without FCC type accepted bi-directional amplifiers as needed. If any part of the installed system or systems contains an electrically powered

component, the system shall be capable of operating on an independent battery and/or generator system for a period of at least 12 hours without external power input. The battery system shall automatically charge in the presence of an external power input. If used, bi-directional amplifiers shall include filters to reduce adjacent frequency interference. These filters shall be tuned so that they will be 35 db below the SRRCS frequencies.

All amplification system equipment shall be located within the building fire control room, except where permitted by the Fire Chief.

(c) Testing Procedures.

1. **Acceptance Test Procedure.** When an in-building radio system is required, and upon completion of installation, it will be the building owner's responsibility to have the radio system tested to ensure that two-way coverage on each floor of the building is a minimum of 90%. Each floor of the building shall be divided into a grid of approximately 20 equal areas. A maximum of two non-adjacent areas will be allowed to fail the test. In the event that three of the areas fail the test, in order to be more statistically accurate, the floor may be divided into 40 equal areas. In such event, a maximum of four nonadjacent areas will be allowed to fail the test. After the 40-area test, if the system continues to fail, the building owner shall have the system altered to meet 90% coverage requirement. The test shall be conducted using a Motorola MTS 2000, or equivalent portable radio, talking through the Sacramento Regional Radio Communications System (SRRCS) as specified by the authority having jurisdiction. A spot located approximately in the center of a grid area will be selected for the test, then the radio will be keyed to verify two-way communications to and from the outside of the building through the SRRCS. Once the spot has been selected, prospecting for a better spot within the grid area will not be permitted. The gain values of all amplifiers shall be measured and the test measurement results shall be kept on file with the building owner so that the measurements can be verified each year during the annual tests. In the event that the measurement results become lost, the building owner will be required to rerun the acceptance test to re-establish the gain values.

As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to insure that spurious oscillations are not being generated by the subject bi-directional amplifier (BDA) due to coupling (lack of sufficient isolation) between the input and output systems. This test will be conducted at time of installation and subsequent annual inspections.

2. **Annual Tests.** When an in-building radio system is required, the building owner shall test all active components of the system, including but not limited to amplifiers, power supplies and backup batteries, a minimum of once every 12 months. Amplifiers shall be tested to ensure that the gain is the same as it was upon initial installation and acceptance. Backup batteries and power supplies shall be tested under load for a period of one hour to verify that they will properly operate during an actual power outage. If within the one-hour test period, in the opinion of the testing technician, the battery exhibits symptoms of failure, the test shall be extended for additional one-hour periods until the testing technician confirms the integrity of the battery. All other active components shall be checked to determine that they are operating within the manufacturer's specifications for the intended purpose.

3. **Five-Year Tests.** In addition to the annual test, the building owner shall perform a radio coverage test a minimum of once every five years to ensure that radio system continues to meet

the requirements of the original acceptance test. The procedure set forth above shall apply to such tests.

4. **Qualifications of Testing Personnel.** All tests shall be conducted, documented and signed by a person in possession of a current FCC license, or a current technician certification issued by the Associated Public Safety Communications Officials International (APCO) or the Personal Communications Industry Association (PCIA). The building owner shall retain all test records on the inspected premises and a copy submitted to the fire department officials.

5. **Fielding Testing.** Police and fire personnel, after providing reasonable notice to the owner or his representative, shall have the right to enter onto the property to conduct field-testing to be certain that the required level of radio coverage is present.

6. **Exemptions.** This section shall not apply to buildings less than 5000 square feet or any R-3 occupancy.

SECTION 4 SCOPE

Except as set forth in this ordinance, all other provisions of Chapter 8.36 remain in full force and effect.

SECTION 5 SEVERABILITY

If any section, subsection, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 7 EFFECTIVE DATE

This ordinance shall become effective January 1, 2008, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City of Folsom.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council November 13, 2007, and the second reading occurred at the regular meeting of the City Council on November 27, 2007.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this XX day of XXXXX, 2007 by the following vote, to wit:

AYES: Council Member(s):

NOES: Council Member(s):

ABSTAIN: Council Member(s):

ABSENT: Council Member(s):

Andrew Morin, MAYOR

ATTEST:

Christa Schmidt, CITY CLERK