

MEETING DATE: May 27, 2014

AGENDA ITEM : A Public Hearing (1) Introducing an Ordinance Repealing and Replacing Chapter 9.02 of Title 9 of the Culver City Municipal Code and Adopting by Reference the 2013 California Fire Code with Local Amendments; and (2) Adoption of a Resolution Making Express Findings for the Modification of the Fire Code Based on Local Climatic, Geological and Topographical Conditions.

ATTACHMENTS

	<u>Pages</u>
1. Proposed Ordinance	1-25
2. Proposed Resolution No. 2014-R	26-44
3. Culver City Municipal Code Chapter 9.02	45-58
4. Public Notice	59

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The City Council of the City of Culver City, California, **DOES HEREBY**
ORDAIN as follows:

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SECTION 2. Chapter 9.02 of Title 9 of the Culver City Municipal Code, entitled "Fire Prevention," having been repealed in Section 1 above, is hereby replaced as follows:

California Fire Code Adoption and Amendments

9.02.005 The 2013 California Fire Code adopted by reference
9.02.010 Violations and penalties
9.02.015 Amendments, additions, deletions, and substitutions
9.02.020 Amendment; Chapter 1 of the California Fire Code
9.02.025 Amendment; Chapter 2 of the California Fire Code
9.02.030 Amendment; Chapter 4 of the California Fire Code
9.02.035 Amendment; Chapter 5 of the California Fire Code
9.02.040 Amendment; Chapter 9 of the California Fire Code
9.02.045 Amendment; Chapter 20 of the California Fire Code
9.02.050 Amendment; Chapter 23 of the California Fire Code
9.02.055 Amendment; Chapter 48 of the California Fire Code
9.02.060 Amendment; Chapter 56 of the California Fire Code
9.02.065 Amendment; Chapter 57 of the California Fire Code
9.02.070 Amendment; Appendix B of the California Fire Code
9.02.075 Amendment; Appendix C of the California Fire Code
9.02.080 Amendment; Appendix D of the California Fire Code

Fireworks

9.02.200 Definitions
9.02.205 Sale, use or transportation of fireworks; prohibitions and restrictions
9.02.210 Permits to conduct displays of fireworks granted by City Council
9.02.215 Application for permit; conditions for filing
9.02.220 Conditions governing permit

1 9.02.225 Seizure of unauthorized fireworks

2 9.02.230 Disposal of fireworks

3 9.02.235 Change to time limits

4 9.02.240 Rescission of prohibition

5 ***Administrative Assessment Cost Recovery Program***

6 9.02.300 Definitions

7 9.02.305 Hazardous materials cleanup

8 9.02.310 False alarms; violations

9 9.02.315 Re-inspections

10 9.02.320 Penalties

11 9.02.325 Appeals

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13 **CALIFORNIA FIRE CODE ADOPTION AND AMENDMENTS**

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15 **§ 9.02.005 THE 2012 INTERNATIONAL FIRE CODE WITH THE 2013**
16 **CALIFORNIA FIRE CODE ADOPTED BY REFERENCE.**

17 A. The City Council hereby adopts all chapters, certain amendments,
18 additions, deletions and exceptions to the 2012 International Fire Code, with
19 errata, incorporating Part 9 of Title 24 of the California Code of Regulations
20 known as the 2013 California Fire Code, with errata, including the 2013 Fire
21 Code Chapter 1 as amended, Chapter 2 as amended, Chapter 4 as
22 amended, Chapter 5 as amended, Chapter 9 as amended, Chapter 20 as
23 amended, Chapter 23 as amended, Chapter 48 as amended, Chapter 56 as
24 amended, Chapter 57 as amended, Appendix Chapter 4, Appendix B as
25 amended, , Appendix C as amended, Appendix CC, Appendix D as
26 amended, Appendix E, Appendix F, Appendix G, Appendix H, Appendix I,
27 and Appendix K as adopted by the California Building Standards Commission
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1 ,Chapter 9.02, the Zoning Code, as set forth in Title 17 of this Code, and any
2 other City regulations relating to existing zoning, fireworks, building trades, is
3 hereby adopted. The provisions of the International Fire Code, with errata,
4 California Fire Code, and Fire Code Appendices, as indicated above, shall be
5 applicable in the City and referred to as the "Fire Code of the City of Culver
6 City."

7
8 B. One copy of the Fire Code of the City of Culver City shall be
9 available in the Culver City Fire Prevention office for public inspection.

10 **§ 9.02.010 VIOLATIONS AND PENALTIES.**

11 A. No person shall violate any provision or fail to comply with the
12 requirements of the Fire Code of the City of Culver City, hereinafter referred
13 to as the "Fire Code." Any person violating any of the provisions or failing to
14 comply with any of the requirements of the Fire Code shall be guilty of a
15 misdemeanor, and shall be punished in accordance with §1.01.035 and
16 §1.01.040 of this Code.

17 B. In addition to the penalties herein provided above, any condition
18 caused or permitted to exist in violation of any provision of the Fire Code,
19 shall be deemed a public nuisance and may be summarily abated as such,
20 and each day such condition continues, shall be regarded as a new and
21 separate offense.

22
23 **§ 9.02.015 AMENDMENTS, ADDITIONS, DELETIONS, AND**
24 **SUBSTITUTIONS.**

25 The Fire Code is amended as provided in this Subchapter.

26
27 **§ 9.02.020 AMENDMENT; Chapter 1, DIVISION II OF**
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1 **THE CALIFORNIA FIRE CODE.**

2 Section 104.1.1 Fire Prevention Standard Operating Policy Manual. A
3 Fire Code Departmental Policy Manual, known as the Culver City Fire
4 Prevention Standard Operating Guidelines has been created and adopted to
5 serve as instructions and interpretations of the adopted Fire Code. The Policy
6 Manual shall be a published document, maintained in the Fire Prevention
7 office, and amended from time to time to provide current instruction and
8 interpretation.

9
10 Section 105.1.1.1 Permit Fees. Permit Fees shall be adopted by
11 resolution of the City Council.

12 Section 105.6.3.1 Aviation

13
14 An operational permit is required for all types of aircraft that are flying,
15 hovering, landing, lifting, filming, parking, or similar activities.

16 Section 105.6.34.1 Special Events and Assemblage

17 A permit is required for special events and assemblages.

18
19 Section 105.6.48 Non-Defined Operations.

20 An operational permit may be required after a Fire Department Review for
21 hazards to people or property from the proposed operation, system or event.

22
23 Section 105.6.49 Installation Contractor Permit.

24 An Installation Contractor permit shall be obtained prior to obtaining a
25 Suppression/ Detection permit for life safety system installations, service
26 repairs, maintenance or testing. Permit fees shall be per City Council fee
27 schedule adopted by City Council Resolution.
28

1 Section 108.4 Appeals. Protests and appeals from the enforcement of this
2 Code shall be made to the Municipal Code Appeals Committee in
3 accordance with the Culver City Municipal Code Sections 9.04.425 and
4 9.04.445.

5 **§ 9.02.025 AMENDMENT; CHAPTER 2 OF THE CALIFORNIA FIRE CODE.**
6

7 Chapter 2 Definitions is hereby amended to read as follows:

8 Section 202, Existing Building/structure square footage.

9
10 The existing square footage of a building/structure is defined as the
11 remaining square footage after all demolition of the building has been
12 completed.

13 Section 202, Existing Roof Structure square footage.

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15 The existing square footage of a roof structure is defined as the remaining
16 square footage of the roof structure after all demolition of the roof structure
17 has been completed.

18 **9.02.30 AMENDMENT; CHAPTER 4 OF THE CALIFORNIA FIRE CODE**
19

20 Chapter 4 is hereby amended to read as follows:

21 401.1.1 Permits. A permit shall be required as set forth in the Culver City, City
22 Council approved fee schedule for all special event and assemblages.

23 Section 403.1.1.1. Special Event Application and Submittals.

24
25 All special events and assemblages shall be submitted to the fire department
26 for review. All applications shall have a contact name, phone number,
27 business name, address, a plot plan, floor plan and sufficient detail and
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1 information to allow for a comprehensive evaluation. Permits, Fire Safety
2 Officers, security, and other issues determined by the review shall be
3 provided by the event organizer prior to allowing the event or assemblage to
4 operate. Tents in excess of 400 square feet needed for a special event or
5 assemblage shall meet the requirements of Chapter 31 and require a
6 separate fire permit.

7 Section 408.11.2.1 Identification. Identification numbers shall be provided for
8 all individual units in covered mall buildings, multi-unit buildings and other
9 commercial complexes, and shall be placed in such a position as to be plainly
10 visible and legible. The position and size of such identification numbers shall
11 be determined by the Fire Code Official. Numbers and names shall be
12 provided for all enclosed rooms and spaces, including service rooms,
13 mechanical rooms, closets, and similar spaces to identify use.

14
15 **§ 9.02.035 AMENDMENT; CHAPTER 5 OF THE CALIFORNIA FIRE CODE.**

16 Chapter 5 is hereby amended to read as follows:

17
18 Section 503.1.2.1 Difficult apparatus access. If the Fire Code Official or
19 his/her designee determines that access for fire apparatus and equipment to
20 any building or structure is unduly difficult, installation of an automatic fire-
21 extinguishing system shall be required.

22 Section 504.1 Required Access.

23
24 504.1.1 Keysets, handles, locks and keys.

25 As determined by a fire department review, all noted exterior doors shall be
26 provided with locksets and handles for Fire Department Access. Keys for
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1 required access shall be provided by the owner and made readily available in
2 the KNOX Box.

3 Section 504.5 Catwalks and Ladders. Upon review, buildings with parapets
4 and other construction that exceeds five (5) feet from the roof may be
5 required to provide non-combustible catwalks and ladders.
6

7 Section 504.6 Exterior Structure Requirements. All buildings with wall tops
8 and/or parapets with soft materials, rails or other construction that creates a
9 hazard to safe access for firefighting purposes shall have solid surfaces to
10 support the use of ladders, firefighters with gear and other suppression
11 equipment. Review and approval of surfaces shall be by the Fire Code
12 Official.

13 Section 507.1.1 Hydrant location for new sprinkler systems.

14
15 Fire Hydrants shall not be located more than 250 feet from the Fire
16 Department Connection.

17 Section 509.3. Ventilation/exhaust fan Controls. When the Building Code
18 requires a mechanical ventilation/exhaust system for enclosed areas and
19 parking structures (other than in enclosed malls or high rise buildings) the
20 mechanical exhaust system shall include a Fire Department manual control
21 switch(s); The design and submittal of the Manual Control Switch shall
22 include an "Off, On, Automatic" operations provided to the Culver City Fire
23 Prevention Division and the Building Department for review and issuance of
24 permits. Location of Manual fan control switch(s) shall be in a fire department
25 approved location.
26

27 **§ 9.02.040 AMENDMENT; CHAPTER 9 OF THE CALIFORNIA FIRE CODE**
28

Chapter 9 of the Fire Code is hereby amended to read as follows:

Section 901.4.1.1 An automatic fire-extinguishing (sprinkler) system shall be installed in every new building in the City, including any new residential building, hereinafter constructed or moved into the City, regardless of area separation or type of construction.

EXCEPTION: New buildings less than 500 square feet may be exempted upon approval of the Fire Code Official.

Section 901.4.1.3 Commercial, Industrial and Multi-family. In existing commercial, industrial and multi-family residential occupancies, fire sprinklers shall be required in existing and new portions of the building for height increases, area increases of 50% or more, and for any occupancy change that increases fire risk or hazard.

Section 901.4.1.4 Residential. Existing one and two family dwellings shall be required to install a full automatic fire sprinkler system in existing and new portions of the building when a story is added, more than 75% of the existing roof structure is replaced, or when the enclosed floor area is increased by more than 75%. NOTE: See Culver City Amended Chapter 2 for the definition of "EXISTING BUILDING/STRUCTURE AND ROOF STRUCTURE".

Section 903.3.5.1.1. LIMITED AREA SPRINKLER SYSTEMS DELETED, REPLACED BY new Section 903.5.1.1. Partial Fire Sprinkler Systems.

Where in the Fire Code or the Building Code a partial fire sprinkler system is allowed or required, the fire sprinkler system shall be installed, modified or extended to protect the entire building or structure.

1 Section 903.3.5.3 Hydraulically calculated systems. The design of
2 hydraulically calculated fire sprinkler systems shall not exceed 90% of the
3 water supply capacity.

4 Section 903.3.5.4 Sprinkler Control Valves and Equipment. Sprinkler shutoff
5 valves, flow switches, gauges, and drains shall be required on each floor of
6 buildings three stories or greater in height.

7
8 Section. 907.1.2(9) Voltage Drop Calculations. Maximum percent of voltage
9 drop on any initiation, output, audible/visual circuit or load consuming circuit
10 shall not exceed percentage as required per UL and manufacturer's
11 requirements.

12 Section. 907.1.6 Projection Room Controls. All projection equipment and
13 audio equipment shall be interconnected to the fire alarm system for shut
14 down, upon an interrupt signal from the fire alarm panel, to prevent
15 interference of all visual and audible evacuation devices and directions from
16 the theatre staff for evacuation directions.

17
18 **§ 9.02.045 AMENDMENT; CHAPTER 20 OF THE CALIFORNIA FIRE**
19 **CODE.**

20 Chapter 20 is hereby amended to read as follows:

21
22 Section 2001.4 Permits. All flight operations within the City of Culver City
23 are required to have an approved Culver City Fire Department permit.
24 Permits shall cover but not be limited to: flight to perform lifts, hovering, fly
25 over, landings, filming and other operations while flying, hovering or landing.

1 Commercially operated radio controlled aircraft shall provide a flight plan
2 approved by the FAA, with sufficient details to allow for review and approval
3 from the Culver City Fire Department.

4 Section 2001.5 Operation and review standards.

5
6 Compliance with CA Fire Code Chapter 20 and CCMC 9.09 shall be used to
7 obtain a flight permit and the requirements for flight operations and
8 approvals. All operations shall be reviewed and approved by the fire
9 department. Landing, fueling, repairs, and storage are limited.

10 The need for providing standby personnel, Fire Safety Officers and permits
11 for any or all activities shall be determined by the Fire Department.

12
13 **§ 9.02.050 AMENDMENT; CHAPTER 23 OF THE CALIFORNIA FIRE**
14 **CODE.**

15 Chapter 23 is hereby amended to read as follows:

16
17 Section 2301.7 Class III-B Liquids. Where in this chapter there is a
18 requirement for Class III-A Liquids, this same requirement shall apply to
19 Class III-B Liquids.

20 **§ 9.02.055 AMENDMENT; CHAPTER 48 OF THE CALIFORNIA FIRE**
21 **CODE.**

22
23 Chapter 48 is hereby amended to read as follows:

24 Section 4804.6.1 Illumination. The approved perimeter aisles shall be
25 illuminated at floor level with light fixtures spaced at intervals of not more than
26 fifty (50) feet apart and providing a minimum light intensity of not less than (1)
27 foot-candle. Power for the emergency light fixtures shall be supplied as
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1 required by Culver City Fire Department Regulations. All Exit and Emergency
2 lights shall comply with the Building Code requirements for two sources of
3 power with one of the two sources of power provided by approved batteries.

4 Section. 4804.10 Flammable Liquids and Compressed Gases on Sound
5 Stages. Unless approved, in writing, by the Fire Code Official, flammable
6 liquids and compressed flammable gases shall be prohibited on television
7 and motion picture sound stages.
8

9 Section 4804.11 Fire Department Filming and Performance Regulations.
10 All Motion Picture and Television Production Studio Sound Stages, Approved
11 Production Facilities and Productions Locations shall comply with Culver City
12 Fire Department Filming and Performance Regulations. Fire Department
13 Filming Regulations are available for review at the Fire Prevention Counter.
14

15 **§ 9.02.060 AMENDMENT; CHAPTER 56 OF THE CALIFORNIA FIRE CODE**

16 Chapter 56 is hereby amended to read as follows:

17 Section 5601 thru 5608 EXPLOSIVES AND FIREWORKS is hereby deleted
18 in its entirety and replaced by sections 9.02.200 through 9.02.240 of the
19 Culver City Municipal Code.
20

21 **§ 9.02.065 AMENDMENT; CHAPTER 57 OF THE CALIFORNIA FIRE**
22 **CODE.**

23 Chapter 57 is hereby amended to read as follows:
24

25 Section 5701.6 Class III-B Liquids. Where in this chapter there is a
26 requirement for Class III-A Liquids, this same requirement shall apply to
27 Class III-B liquids.
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1 **§ 9.02.70 AMENDMENT; APPENDIX B OF THE CALIFORNIA FIRE CODE.**

2 Appendix B, Exception, is hereby amended to read as follows:

3
4 Section B105.2, Exception: The reduction in required fire flow of up to 50
5 percent, as approved, is allowed when the building or structure is provided
6 throughout with an approved automatic fire sprinkler system installed in
7 accordance with Section 903.3.1.1 or 903.3.1.2. The minimum resulting fire-
8 flow shall not be less than 1,500 gallons per minute (5678 L/min) for the
9 prescribed duration as specified in Table B105.1.

10 **§ 9.02.75 AMENDMENT; APPENDIX C OF THE CALIFORNIA FIRE CODE.**

11 Appendix C is hereby amended to read as follows:

12
13 Section C101.1.2. Whenever the reference is made to Table C105.1, use
14 Culver City Fire Department requirements of 300 foot fire hydrant spacing in
15 commercial/industrial areas and 600 foot spacing in residential areas for
16 Hydrant Placement, Spacing and Specifications. Maximum distance of a fire
17 hydrant to an FDC shall not exceed 150 feet.

18 **§ 9.02.80 AMENDMENT; APPENDIX D, OF THE CALIFORNIA FIRE CODE.**

19 Appendix D is hereby amended to read as follows:

20
21 Section D101.1.2. Use table as indicated. Upon review of a project and based
22 on Fire Department access and water supplies, the Fire Department may
23 change the tables to mitigate special hazards.

24
25 **FIREWORKS**

26
27 **§ 9.02.200 DEFINITIONS.**

1 The following words and phrases, as used in this Subchapter, are defined
2 as follows:

3 ***FIREWORKS.*** Means and includes any combustible explosive
4 composition, or any substance or combination of substances, or article
5 prepared for the purpose of producing a visible or an audible effect by
6 combustion, explosion, deflagration, or detonation, and shall include blank
7 cartridges, toy pistols, toy cannons, toy canes, or toy guns in which
8 explosives are used, the type of balloons which require fire underneath to
9 propel the same, firecrackers, torpedoes, skyrockets, Roman candles, Day
10 glow bombs, sparklers, or other devices of like construction and any devices
11 containing any explosives or flammable compound, or any tablets or other
12 device containing any explosive substance, except that the term
13 ***FIREWORKS*** shall not include any auto flares, paper caps containing not in
14 excess of an average of twenty-five hundredths (.25) of a grain of explosive
15 content per cap, and toy pistols, toy canes or toy guns or other devices for
16 use of such caps, the sale and use of which shall be permitted at all times.
17

18 ***PERSON.*** Includes any individual, firm, partnership, joint venture,
19 association concern, corporation, estate, trust, business trust, receiver,
20 syndicate, or any other group or combination acting as a unit.

21 ***PUBLIC DISPLAY OF FIREWORKS.*** An entertainment feature where the
22 public is admitted or permitted to view the display or discharge of fireworks,
23 including but not limited to those above defined.
24

25 **§ 9.02.205 SALE, USE OR TRANSPORTATION OF FIREWORKS;**
26 **PROHIBITIONS AND RESTRICTIONS.**
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1 A. Except as provided herein, it shall be unlawful for any person to use,
2 possess, sell or discharge any fireworks of any kind within the City.

3 B. Fireworks may be transported through the City from and to points
4 outside the City by any wholesaler, retailer, jobber, warehouseman, or
5 manufacturer; provided that, no fireworks shall be so transported without
6 written approval of the Fire Code Official, which approval shall be revocable
7 for cause and shall be granted only upon application therefore setting forth
8 the description of the route to be used for the transportation and such other
9 information as the Fire Chief shall require.

10 C. Fireworks may be transported through the City from and to points
11 outside the City by an ultimate consumer of the fireworks.

12 D. Fireworks may be kept or stored by City safety officers in a safe and
13 secure place pending the lawful disposal thereof.

14 E. A person may use, store and possess fireworks in order to conduct a
15 public display of fireworks after obtaining a permit pursuant to this
16 Subchapter.

17 F. Nothing in this Subchapter shall be construed to prohibit the use of
18 fireworks by personnel of railroads or other transportation agencies for signal
19 purposes or illumination, or the sale or use of blank cartridges for a show or
20 theater, or for signal or ceremonial purposes in athletics or sports, or for use
21 by military organizations.

22 G. Nothing in this Subchapter shall be construed to prohibit the
23 assembling, compounding, use and display of fireworks of whatever nature
24 by any person engaged in the production of motion pictures, theatricals, or
25

1 operas or when such use and display is a necessary part of the production
2 and such person possesses a valid permit to purchase, possess, transport or
3 use such fireworks as required by State and local regulations.

4
5 **§ 9.02.210 PERMITS TO CONDUCT DISPLAYS OF FIREWORKS**
6 **GRANTED BY CITY COUNCIL.**

7 The City Council, by resolution, upon written application as provided in this
8 Subchapter and subject to the provisions of this Subchapter, may grant two
9 (2) permits to conduct a public display of fireworks in a calendar year, each
10 display to occur on a separate date.

11
12 **§ 9.02.215 APPLICATION FOR PERMIT; CONDITIONS FOR FILING.**

13 An application for a permit to conduct a public display of fireworks shall be
14 filed in compliance with all of the following:

15 A. Application for a permit to conduct a public display of fireworks shall
16 be filed in the Office of the City Manager, on forms provided by the City, at
17 least 180 days prior to the date requested for conducting the public display of
18 fireworks.

19 B. The following information shall be included on the application:

20 1. The location of the public display of fireworks as approved by the
21 Culver City Fire Department;
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23 2. The location for storage of the fireworks to be displayed as
24 approved by the Culver City Fire Department, if within the City;
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1 3. Who, if anyone, will provide management services to the applicant
2 for the public display of fireworks and evidence that such manager has
3 complied with all business tax certificate requirements; and

4 4. Any other information deemed necessary by the City Council for
5 the consideration of the application.
6

7 C. Evidence of the following types of insurance in a form and with
8 endorsements as approved by the City Attorney and in an amount not less
9 than One Million Dollars (\$1,000,000.00) shall be filed with the application:

10 1. Public liability insurance; combined single limit, bodily injury and
11 property damage, each occurrence;
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13 2. Premises/operation liability;
14

15 3. Contractual liability, specifically referencing indemnification
16 agreements with the City; and

17 4. Products liability, including completed operations liability.
18

19 D. All fees required pursuant to this Code and City Council resolution
20 shall be paid at the time of filing the application; and

21 E. Evidence of compliance with any special conditions required by the
22 Culver City Fire Department because of the location of the public display of
23 fireworks.
24

25 **§ 9.02.220 CONDITIONS GOVERNING PERMIT.**

26 Any permit granted to conduct a public display of fireworks shall be
27 governed by all of the following:
28

1 A. The public display of fireworks shall be conducted by a duly licensed
2 pyrotechnician who shall have obtained Culver City Fire Department approval
3 no later than the last day of June of the year in which the permit is granted;

4 B. One public display of fireworks shall be conducted on July 4th, and
5 the other shall be conducted in conjunction with Culver City High School's
6 annual homecoming celebration. Both displays shall be conducted strictly in
7 accordance with all regulations and conditions specified in this Subchapter
8 and in the Council resolution granting the permit;

9
10 C. Any attempt to transfer a permit to any person shall void the permit;

11 D. The permittee shall agree, in writing, to indemnify and hold harmless
12 the City, its officers, representatives, and employees from any loss or liability
13 or damages, including expenses and costs, for bodily injury or property
14 damage sustained by any person as a result of any operation related to the
15 permit; and

16
17 E. Failure to comply with any of the provisions of this Subchapter shall
18 preclude consideration of any application filed if permits have not been
19 granted thereunder; and shall be sufficient cause of the revocation of any
20 permit previously issued.

21
22 **§ 9.02.225 SEIZURE OF UNAUTHORIZED FIREWORKS.**

23 Any duly authorized member of the Fire Department or Police Department
24 shall seize, take, remove or cause to be removed at the expense of the
25 owner all stocks of fireworks displayed, stored, held or offered or exposed for
26 sale in violation of this Subchapter.

27
28 **§ 9.02.230 DISPOSAL OF FIREWORKS.**

1 Any fireworks that remain unfired after the public display of fireworks is
2 concluded, or which are seized pursuant to § 9.02.225, shall be disposed of
3 in a way safe for the particular type of fireworks.

4 5 **§ 9.02.235 CHANGE TO TIME LIMITS.**

6 The City Council, by resolution, may extend or shorten the time
7 requirements established by this Subchapter.

8 9 **§ 9.02.240 RESCISSION OF PROHIBITION.**

10 The prohibition set forth in § 9.02.205 shall not be rescinded by the City
11 Council without the approval of a majority of the voters voting at a regular or
12 special election.

13 14 **ADMINISTRATIVE ASSESSMENT COST RECOVERY PROGRAM**

15 16 **§ 9.02.300 DEFINITIONS.**

17 For the purpose of this Subchapter, the following definitions shall apply
18 unless the context clearly indicates or requires a different meaning.

19 *CULVER CITY MUNICIPAL CODE.* The ordinances embraced in the
20 Chapters and Sections found in "The Code of the City of Culver City,
21 California," hereinafter referred to as "CCMC."

22 23 *FAILURE TO NOTIFY.*

24 1. Pre-Test Notification Failure - failure to notify the Fire Department
25 before proceeding with any testing of a fire alarm or fire suppression system
26 which results in an unnecessary response.

1 2. Post-Test Notification Failure - failure to notify the Fire
2 Department after completion of testing and/or maintenance of a fire alarm or
3 fire suppression system, which results in an unnecessary response.

4 *FALSE ALARM.* The deliberate reporting of an alarm for which no fire or
5 emergency actually exists or an alarm that is set off "needlessly" includes, but
6 is not limited to, the triggering of an alarm by conditions that are not typical of
7 a current or impending fire emergency.

8 *FIRE CODE.* The "Fire Code of the City of Culver City" as defined in §
9 9.02.005 of the CCMC.

10 *FIRE CODE STANDARDS.* Volume 2 of the "International Fire Code"
11 published by the International Code Council.

12 *HAZARDOUS MATERIALS.* Any material that, because of its quantity,
13 concentration, or physical or chemical characteristics, poses a significant or
14 potential hazard to human health and safety, to the environment, or to
15 property if released. For the purposes of this chapter *HAZARDOUS*
16 *MATERIALS* include, but are not limited to, hazardous materials as defined
17 in § 9.03.105 N., O., or P. of the CCMC, and other substances known to
18 cause harm to the environment if released such as used oil, paint, paint
19 residues, and solvents.

20 *HOUSEHOLD HAZARDOUS WASTE.* Hazardous waste generated from
21 a Culver City household in conducting non-commercial activities.

22 *MUNICIPAL CODE APPEALS COMMITTEE.* The committee is
23 authorized to hear appeals of alleged violations of the CCMC. [CCMC §
24 9.04.425].

1 *RE-INSPECTION.* A repeat inspection for compliance after the issuance
2 of an "Order to Comply" served by a member of the Culver City Fire
3 Department to any person, firm or corporation to correct a Fire Code
4 violation.

5 *SEWER SYSTEM.* All pipes, drains, channels, and other means used to
6 transport sewage to the Hyperion Water Treatment Plant for treatment (e.g.
7 household or commercial drains, and the like).

8 *STORM DRAIN SYSTEM.* All pipes, drains, channels, and other means
9 used to transport surface waters to the ocean without treatment (e.g.,
10 curbside drains, La Ballona Creek, and the like).

11 *UNAUTHORIZED DISCHARGE.* A release or emission of materials in a
12 manner which does not conform to the provisions of this code [CCMC §
13 9.02.005] or applicable public health and safety regulations.
14

15
16 **§ 9.02.305 HAZARDOUS MATERIALS CLEANUP.**

17 A. *Violation.* It shall be a violation of this Section to release hazardous
18 materials in an unauthorized manner. At no time shall a hazardous material
19 be released into a street or surface where the drainage is to the storm drain
20 system.
21

22 B. *Responsibility for cleanup.* The person, firm or corporation
23 responsible for an unauthorized discharge, shall institute and complete all
24 actions necessary to remedy the effects of such unauthorized discharge,
25 whether sudden or gradual, at no cost to the jurisdiction. When deemed
26 necessary by the Fire Code Official or his designee, cleanup may be initiated
27 by the Fire Department or by an authorized individual or firm. Costs
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1 associated with such a cleanup shall be borne by the owner, operator or
2 other operator or other person responsible for the unauthorized discharge.

3 C. *Assessment of administrative charges.* Costs are determined based
4 on actual personnel costs plus benefits, and estimated costs of equipment
5 per unit response, plus any other applicable expenditure.
6

7 **§ 9.02.310 FALSE ALARMS; VIOLATIONS.**

8 A. *Violation.* It shall be a violation of this Section for:
9

10 1. Any person, firm, entity or corporation to cause or allow more than
11 four (4) false alarms within the prior three hundred sixty-five (365) days from
12 a facility in a residential, commercial, or manufacturing zone; or any other
13 zone recognized by the Culver City Municipal Code.

14 2. An alarm company to cause or allow more than one (1) "Failure to
15 Notify" the Culver City Police/Fire Dispatcher to testing, inspecting, or
16 maintaining a fire suppression and/or alarm system of a specified facility
17 within the prior three hundred sixty five (365) days. For notification
18 requirements for maintenance, service and testing see California Fire Code
19 Chapter 9, section 901.
20

21 3. An alarm company to cause or allow more than one (1) "Failure to
22 Notify" the Culver City Police/Fire Dispatcher within one (1) hour after
23 completion of testing, inspecting, or maintaining a fire suppression and/or
24 alarm system of a specified facility, within the prior three hundred sixty-five
25 (365) days. For notification requirements for maintenance, service and testing
26 see California Fire Code Chapter 9, section 901.
27
28

1 B. *Assessment of administrative charges.* An administrative charge of
2 One Hundred Dollars (\$100.00) will be assessed for each additional false
3 alarm above the limits as set forth in Subsection A.
4

5 **§ 9.02.315 RE-INSPECTIONS.**

6 A. *Violation.* It shall be a violation for any person, firm, entity or
7 corporation to fail to comply within the prescribed time with orders to comply
8 issued by the Culver City Fire Department.
9

10 B. *Violation corrected.* Where the violation has been corrected within
11 the time period prescribed as confirmed by inspection or other proof
12 acceptable to the Fire Marshal, the case shall not be assessed.

13 C. *Violation not corrected.* Where the violation has not been corrected
14 within the time period prescribed by the Fire Department, any additional
15 compliance inspection(s) shall be assessed to the violator at an
16 administrative charge of One Hundred Dollars (\$100.00) for the first
17 additional inspection. If compliance is still not achieved, a further
18 administrative charge of Five Hundred Dollars (\$500.00) per each additional
19 inspection required shall be assessed.
20

21 **§ 9.02.320 PENALTIES.**

22 In addition to any administrative costs as described above, violations of
23 this Section shall be punished as:

24 A. For the first violation in a twelve (12) month period as an infraction;
25

26 B. For the second and each subsequent violation in a twelve (12) month
27 period as an infraction or misdemeanor as determined by the City Attorney.
28

1 **§ 9.02.325 APPEALS.**

2 A. The “initial warning” cannot be appealed. Subsequent notices and
3 orders can be appealed to the Municipal Code Appeals Committee. To
4 contest first and subsequent notices and orders to comply, and/or the
5 administrative fee assessment, a written objection must be filed with the City
6 Clerk's office within ten (10) days of receipt of the appealable notice or order.
7 The City will notify each appellant of the date and time of the scheduled
8 informal hearing.
9

10 B. Those who wish to appeal an Order to Comply an Administrative
11 Assessment shall follow the process set forth on the order to comply form
12 and appropriate City procedures.

13 **SECTION 3:** Nothing in this Ordinance shall be construed to affect
14 any suit or proceeding impending in any court, or any rights acquired, or
15 liability incurred, or any cause or causes of action acquired or existing, under
16 any act or Ordinance hereby repealed as cited in Section 1 of this Ordinance;
17 nor shall any just or legal right or remedy of any character be lost, impaired or
18 affected by this Ordinance.

19 **SECTION 4:** Pursuant to Section 619 of the City Charter, this
20 Ordinance shall take effect thirty (30) days after its adoption. Pursuant to
21 Section 616 and 621 of the City Charter, prior to the expiration of fifteen (15)
22 days after the adoption, the City Clerk shall cause this Ordinance, or a
23 summary thereof, to be published in the Culver City News and shall post this
24 Ordinance or a summary thereof in at least three (3) places within the City.

25 **SECTION 5:** City Council hereby declares that, if any provision,
26 section, subsection, paragraph, sentence, phrase or word of this Ordinance is
27 rendered or declared invalid or unconstitutional by any final action in a court
28

1 of competent jurisdiction or by reason or any preemptive legislation, then the
2 City Council would have independently adopted the remaining provisions,
3 sections, subsections, paragraphs, sentences, phrases, or words of this
4 Ordinance, and as such they shall remain in full force and effect.

5 APPROVED and ADOPTED this ____ day of _____ 2014.
6
7
8

9 _____
Megan Sahli-Wells, MAYOR
City of Culver City, California
10
11

12 ATTEST:
13
14

APPROVED AS TO FORM:
15

16 _____
Martin Cole
City Clerk
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CAROL A. SCHWAB,
City Attorney

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1 Systems and Equipment; Chapter 20, Aviation Facilities; Chapter 23, Motor Fuel-
2 Dispensing Facilities and Repair Garages; Chapter 48, Motion Picture and
3 Television Production Studio Sound Stages, Approved Production Facilities and
4 Production Locations; Chapter 56, Explosives and Fireworks; Chapter 57,
5 Flammable and Combustible Liquids; Appendix Chapter 4, Special Detailed
6 Requirements based on Use and Occupancy; Appendix B, Fire-Flow Requirements
7 for Buildings; Appendix C, Fire Hydrant Locations and Distribution; Appendix D, Fire
8 Apparatus Access Roads: are proposed to be adopted by the City Council as
9 changes to the 2013 edition of the California Fire Code, and are reasonably
10 necessary because of local climatic, geological or topographical conditions that
11 create fire hazards and inhibit fire safety response access and response time, as set
12 forth in this resolution.
13

- 14
- 15 a. Culver City's climate is primarily influenced by the Pacific Ocean and is
16 characterized by infrequent rainfall and winds which come from the west
17 during the daytime and from the north and northeast during the nighttime,
18 with intermittent Santa Ana winds occurring from September to March.
19 These conditions create the potential for high velocity winds with high
20 temperatures that are conducive to uncontrolled, rapidly spreading wind
21 driven fires. Enforcement of the Fire Code including these amendments
22 to the Fire Code are necessary to limit exposure from buildings not having
23 built-in fire protection systems and immediate containment of a fire is the
24 only method by which fire can be controlled during high wind conditions.
25 Accordingly, built-in fire suppression systems would provide the only
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1 adequate measure to mitigate the potential hazards and damage caused
2 by such fires.

3 b. Culver City is in the vicinity of several known active and potentially active
4 earthquake faults including the San Andreas, Newport-Inglewood,
5 Overland and Charnock faults. The City has and is likely to continue to
6 experience seismic events including ground shaking and liquefaction of
7 sufficient magnitude to cause substantial damage to structures.
8 Significant damage is likely to be accompanied by a substantial number
9 of fires that will exceed the fire department suppression capabilities.
10 Seismic activity also has the potential to cause damage to streets,
11 roadways and overpasses to the San Diego Freeway and La Ballona
12 Creek that would hamper and delay emergency vehicle response.
13 Accordingly, enforcement of the Culver City Fire Code Amendments is
14 necessary to provide minimal levels of protection for un-protected
15 structures and built-in fire suppression systems would provide the only
16 adequate measure to mitigate the potential hazards and damage caused
17 by such fires.
18

19
20
21 c. The topography of the City is such that structures are situated in close
22 proximity to each other, with only about 1% of the 5 square miles that the
23 City occupies vacant. In addition, these lots are often very narrow or on
24 hilly terrain, which limits access to side yards for fire suppression and
25 placement of ladders for rescue operations. These conditions increase
26 the threat to life and property and contribute to the ability of fires to spread
27 quickly between buildings because of their proximity to each other. The
28

1 City also has two large residential hillside areas that are within a State
2 designated "Very High Fire Hazard Severity Zone." There is the potential
3 for rapidly spreading fires in these hillside areas due to the topography of
4 the terrain. Accordingly, built-in fire suppression systems would provide
5 the only adequate measure to mitigate the potential hazards and damage
6 caused by such fires.

7
8 2. Based on Climatic, Geological or Topographical reasons, amendments
9 to the 2013 California Fire Code are as follows:

10 AMENDMENT; Chapter 1 OF THE CALIFORNIA FIRE CODE
11

12 Chapter 1 of the Fire Code is hereby amended to read as follows:

13 Section 1.1.4.1 Appendices Adoption. Per requirements of Chapter 1
14 section 1.1.4, the Culver City Fire Department has adopted by reference and
15 has amended chapters and appendices in this document. Adopted
16 appendices by reference are Appendix Chapter 4, Appendix B as amended,
17 Appendix BB, Appendix C as amended, Appendix CC, Appendix D as
18 amended, Appendix E, Appendix F, Appendix G, Appendix H, Appendix I,
19 and Appendix K, as amended by the California State Fire Marshal and
20 adopted by the California Building Standards Commission.

21
22 Section 104.1.1 Fire Prevention Standard Operating Policy Manual. A
23 Fire Code Departmental Policy Manual, known as the Culver City Fire
24 Prevention Standard Operating Guidelines has been created and adopted to
25 serve as instructions and interpretations of the adopted Fire Code. The Policy
26 Manual shall be a published document, maintained in the Fire Prevention
27
28

1 office, and amended from time to time to provide current instruction and
2 interpretation.

3 Section 105.1.1.1 Permit Fees. Permit Fees shall be adopted by
4 resolution of the City Council.
5

6 Section 105.6.3.1 Aviation

7 An operational permit is required for all types of aircraft that are flying,
8 hovering, landing, lifting, filming, parking, or similar activities.
9

10 Section 105.6.34.1 Special Events and Assemblage

11 A permit is required for special events and assemblages.
12

13 Section 105.6.48 Non-Defined Operations.

14 An operational permit may be required after a Fire Department Review for
15 hazards to people or property from the proposed operation, system or event.
16

17 Section 105.6.49 Installation Contractor Permit.

18 An Installation Contractor permit shall be obtained prior to obtaining a
19 Suppression/ Detection permit for life safety system installations, service
20 repairs, maintenance or testing. Permit fees shall be per City Council fee
21 schedule adopted by City Council Resolution.

22 Section 108.4 Appeals. Protests and appeals from the enforcement of
23 this Code shall be made to the Municipal Code Appeals Committee in
24 accordance with the Culver City Municipal Code Sections 9.04.425 and
25 9.04.445.
26

27 9.02.025 AMENDMENT; CHAPTER 2 OF THE CALIFORNIA FIRE CODE.
28

1 Chapter 2 Definitions is hereby amended to read as follows:

2 Section 202, Existing Building/structure square footage.

3
4 The existing square footage of a building/structure is defined as the
5 remaining square footage after all demolition of the building has been
6 completed.

7 Section 202, Existing Roof Structure square footage.

8
9 The existing square footage of a roof structure is defined as the remaining
10 square footage of the roof structure after all demolition of the roof structure
11 has been completed.

12 AMENDMENT; CHAPTER 4 OF THE CALIFORNIA FIRE CODE

13
14 Chapter 4 is hereby amended to read as follows:

15 Section 401.1.1 Permits. A permit shall be required as set forth in the
16 Culver City, City Council approved fee schedule for all special events and
17 assemblages.

18
19 Section 403.1.1.1 Special Event Application and Submittals. All special
20 event and assemblages shall be submitted to the fire department for review.
21 All applications shall have a contact name, phone number, business name,
22 address, a plot plan, and a floor plan with sufficient detail and information to
23 allow for a comprehensive evaluation. Permits, Fire Safety Officers, security,
24 and other issues determined by the review shall be provided by the event
25 organizer prior to allowing the event or assemblage to operate. Tents in
26 excess of 400 square feet needed for a special event or assemblage shall
27 meet the requirements of Chapter 31 and require a separate fire permit.
28

1 Section 408.11.2.1 Identification. Identification numbers shall be
2 provided for all individual units in a covered mall buildings, multi-unit buildings
3 and other commercial complexes and shall be placed in such a position as to
4 be plainly visible and legible. The position and size of such identification
5 numbers shall be determined by the Fire Code Official. Numbers and names
6 shall be provided for all enclosed rooms and spaces, including service rooms,
7 mechanical rooms, closets, and similar spaces to identify use.

8
9
10 AMENDMENT; CHAPTER 5 OF THE CALIFORNIA FIRE CODE

11 Chapter 5 of the Fire Code is hereby amended to read as follows:

12
13 Section 503.1.2.1 Difficult apparatus access. If the Fire Code Official
14 or his/her designee determines that access for fire apparatus and equipment
15 to any building or structure is unduly difficult, installation of an automatic fire-
16 extinguishing system shall be required.

17 Section 504.1 Required Access.

18 Section 504.1.1 Keysets, handles, locks and keys.

19
20 As determined by a fire department review, all noted exterior doors shall be
21 provided with locksets and handles for Fire Department Access. Keys for
22 required access shall be provided by the owner and made readily available in
23 the KNOX Box.

24
25 Section 504.5 Catwalks and Ladders. Upon review, buildings with
26 parapets and other construction that exceeds five (5) feet from the roof may
27 be required to provide non-combustible catwalks and ladders.

1 Section 504.6 Exterior Structure Requirements. All buildings with wall
2 tops and/or parapets with soft materials, rails or other construction that
3 creates a hazard to safe access for firefighting purposes shall have solid
4 surfaces to support the use of ladders, firefighters with gear and other
5 suppression equipment. Review and approval of surfaces shall be by the Fire
6 Code Official.

7
8
9 Section 507.1.1 Hydrant location for new sprinkler systems.
10 Fire Hydrants shall not be located more than 250 feet from the Fire
11 Department Connection.

12
13 Section 509.3. Ventilation/exhaust fan Controls. When the Building
14 Code requires a mechanical ventilation/exhaust system for enclosed areas
15 and parking structures (other than in enclosed malls or high rise buildings)
16 the mechanical exhaust system shall include a Fire Department manual
17 control switch(s); The design and submittal of the Manual Control Switch shall
18 include an "Off, On, Automatic" operations provided to the Culver City Fire
19 Prevention Division and the Building Department for review and issuance of
20 permits. Location of Manual fan control switch(s) shall be in a fire department
21 approved location.

22
23
24 AMENDMENT; CHAPTER 9 OF THE CALIFORNIA FIRE CODE

25 Chapter 9 of the Fire Code is hereby amended to read as follows:

26
27 Section 901.4.1.1 An automatic fire-extinguishing (sprinkler) system
28 shall be installed in every new building in the City, including any new

1 residential building, hereinafter constructed or moved into the City, regardless
2 of area separation or type of construction.

3 *EXCEPTION: New buildings less than 500 square feet may be exempted*
4 *upon approval of the Fire Code Official.*
5

6 Section 901.4.1.3 Commercial, Industrial and Multi-family. In existing
7 commercial, industrial and multi-family residential occupancies, fire sprinklers
8 shall be required in existing and new portions of the building for height
9 increases, area increases of 50% or more, and for any occupancy change
10 that increases fire risk or hazard.

11 Section 901.4.1.4 Residential. Existing one and two family dwellings
12 shall be required to install a full automatic fire sprinkler system in existing and
13 new portions of the building when a story is added, more than 75% of the
14 existing roof structure is replaced, or when the enclosed floor area is
15 increased by more than 75%. NOTE: See Culver City Amended Chapter 2 for
16 the definition of "EXISTING BUILDING/STRUCTURE AND ROOF
17 STRUCTURE".
18

19 Section 903.3.5.1.1. LIMITED AREA SPRINKLER SYSTEMS
20 DELETED, REPLACED BY new Section 903.5.1.1. Partial Fire Sprinkler
21 Systems. Where in the Fire Code or the Building Code a partial fire sprinkler
22 system is allowed or required, the fire sprinkler system shall be installed,
23 modified or extended to protect the entire building or structure.

24 Section 903.3.5.3 Hydraulically calculated systems. The design of
25 hydraulically calculated fire sprinkler systems shall not exceed 90% of the
26 water supply capacity.
27
28

1 Section 903.3.5.4 Sprinkler Control Valves and Equipment. Sprinkler
2 shutoff valves, flow switches, gauges, and drains shall be required on each
3 floor of buildings three stories or greater in height.
4

5
6 Section. 907.1.2(9) Voltage Drop Calculations. Maximum percent of
7 voltage drop on any initiation, output, audible/visual circuit or load consuming
8 circuit shall not exceed percentage as required per UL and manufacturer's
9 requirements.
10

11 Section. 907.1.6 Projection Room Controls. All projection equipment
12 and audio equipment shall be interconnected to the fire alarm system for shut
13 down, upon an interrupt signal from the fire alarm panel, to prevent
14 interference of all visual and audible evacuation devices and directions from
15 the theatre staff for evacuation directions.

16 AMENDMENT; CHAPTER 20 OF THE CALIFORNIA FIRE CODE

17 Chapter 20 is hereby amended to read as follows:
18

19 Section 2001.4 Permits. All flight operations within the City of Culver
20 City are required to have an approved Culver City Fire Department permit.
21 Permits shall cover but not be limited to: flight to perform lifts, hovering, fly
22 over, landings, filming and other operations while flying, hovering or landing.
23 Commercially operated radio controlled aircraft shall provide a flight plan
24 approved by the FAA, with sufficient details to allow for review and approval
25 from the Culver City Fire Department.

26 Section 2001.5 Operation and review standards. Compliance with CA
27 Fire Code Chapter 20 and CCMC 9.09 shall be used to obtain a flight permit
28

1 and the requirements for flight operations and approvals. All operations shall
2 be reviewed and approved by the fire department. Landing, fueling, repairs,
3 and storage are limited. The need for providing standby personnel, Fire
4 Safety Officers and permits for any or all activities shall be determined by the
5 Fire Department.

6 AMENDMENT; CHAPTER 23 OF THE CALIFORNIA FIRE CODE

7
8 Chapter 23 is hereby amended to read as follows:

9 Section 2301.7 Class III-B Liquids. Where in this chapter there is a
10 requirement for Class III-A Liquids, this same requirement shall apply to
11 Class III-B Liquids.

12
13 AMENDMENT; CHAPTER 48 OF THE CALIFORNIA FIRE CODE.

14 Chapter 48 is hereby amended to read as follows:

15
16 Section 4804.6.1 Illumination. The approved perimeter aisles shall be
17 illuminated at floor level with light fixtures spaced at intervals of not more than
18 fifty (50) feet apart and providing a minimum light intensity of not less than (1)
19 foot-candle. Power for the emergency light fixtures shall be supplied as
20 required by Culver City Fire Department Regulations. All Exit and Emergency
21 lights shall comply with the Building Code requirements for two sources of
22 power with one of the two sources of power provided by approved batteries.

23 Section. 4804.10 Flammable Liquids and Compressed Gases on
24 Sound Stages. Unless approved, in writing, by the Fire Code Official,
25 flammable liquids and compressed flammable gases shall be prohibited on
26 television and motion picture sound stages.

1 Section 4804.11 Fire Department Filming and Performance
2 Regulations. All Motion Picture and Television Production Studio Sound
3 Stages, Approved Production Facilities and Productions Locations shall
4 comply with Culver City Fire Department Filming and Performance
5 Regulations. Fire Department Filming Regulations are available for review at
6 the Fire Prevention Counter.

7
8 AMENDMENT; CHAPTER 56 OF THE CALIFORNIA FIRE CODE

9 Chapter 56 is hereby amended to read as follows:

10 Section 5601 thru 5608 EXPLOSIVES AND FIREWORKS is hereby
11 deleted in its entirety and replaced by sections 9.02.200 through 9.02.240 of
12 the Culver City Municipal Code.

13
14 AMENDMENT; CHAPTER 57 OF THE CALIFORNIA FIRE CODE

15 Chapter 57 is hereby amended to read as follows:

16
17 Section 5701.6 Class III-B Liquids. Where in this chapter there is a
18 requirement for Class III-A Liquids, this same requirement shall apply to
19 Class III-B liquids.

20 AMENDMENT; APPENDIX B OF THE CALIFORNIA FIRE CODE.

21
22 Appendix B, Exception, is hereby amended to read as follows:

23 Section B105.2, Exception: The reduction in required fire flow of up to 50
24 percent, as approved, is allowed when the building or structure is provided
25 throughout with an approved automatic fire sprinkler system installed in
26 accordance with Section 903.3.1.1 or 903.3.1.2. The minimum resulting fire-
27
28

1 flow shall not be less than 1,500 gallons per minute (5678 L/min) for the
2 prescribed duration as specified in Table B105.1.
3
4

5 AMENDMENT; APPENDIX C OF THE CALIFORNIA FIRE CODE.

6 Appendix C is hereby amended to read as follows:
7

8 Section C101.1.2. Whenever the reference is made to Table C105.1, use
9 Culver City Fire Department requirements of 300 foot fire hydrant spacing in
10 commercial/industrial areas and 600 foot spacing in residential areas for
11 Hydrant Placement, Spacing and Specifications. Maximum distance of a fire
12 hydrant to an FDC shall not exceed 150 feet.
13
14

15 AMENDMENT; APPENDIX D, OF THE CALIFORNIA FIRE CODE.

16 Appendix D is hereby amended to read as follows:
17

18 Section D101.1.2. Use table as indicated. Upon review of a project and based
19 on Fire Department access and water supplies, the Fire Department may
20 change the tables to mitigate special hazards.
21

22 *Fireworks*

23 § 9.02.200 DEFINITIONS.

24 *The following words and phrases, as used in this Subchapter, are*
25 *defined as follows:*

26 *FIREWORKS. Means and includes any combustible explosive*
27 *composition, or any substance or combination of substances, or article*
28

1 prepared for the purpose of producing a visible or an audible effect by
2 combustion, explosion, deflagration, or detonation, and shall include blank
3 cartridges, toy pistols, toy cannons, toy canes, or toy guns in which
4 explosives are used, the type of balloons which require fire underneath to
5 propel the same, firecrackers, torpedoes, skyrockets, Roman candles, Day
6 glow bombs, sparklers, or other devices of like construction and any devices
7 containing any explosives or flammable compound, or any tablets or other
8 device containing any explosive substance, except that the term
9 FIREWORKS shall not include any auto flares, paper caps containing not in
10 excess of an average of twenty-five hundredths (.25) of a grain of explosive
11 content per cap, and toy pistols, toy canes or toy guns or other devices for
12 use of such caps, the sale and use of which shall be permitted at all times.

13
14 PERSON. Includes any individual, firm, partnership, joint venture,
15 association concern, corporation, estate, trust, business trust, receiver,
16 syndicate, or any other group or combination acting as a unit.

17
18 PUBLIC DISPLAY OF FIREWORKS. An entertainment feature where
19 the public is admitted or permitted to view the display or discharge of
20 fireworks, including but not limited to those above defined.

21 § 9.02.205 SALE, USE OR TRANSPORTATION OF FIREWORKS;

22 PROHIBITIONS AND RESTRICTIONS.

23 A. Except as provided herein, it shall be unlawful for any person to
24 use, possess, sell or discharge any fireworks of any kind within the City.

25 B. Fireworks may be transported through the City from and to
26 points outside the City by any wholesaler, retailer, jobber, warehouseman, or
27 manufacturer; provided that, no fireworks shall be so transported without
28

1 *written approval of the Fire Code Official, which approval shall be revocable*
2 *for cause and shall be granted only upon application therefore setting forth*
3 *the description of the route to be used for the transportation and such other*
4 *information as the Fire Chief shall require.*

5 *C. Fireworks may be transported through the City from and to*
6 *points outside the City by an ultimate consumer of the fireworks.*

7 *D. Fireworks may be kept or stored by City safety officers in a safe*
8 *and secure place pending the lawful disposal thereof.*

9 *E. A person may use, store and possess fireworks in order to*
10 *conduct a public display of fireworks after obtaining a permit pursuant to this*
11 *Subchapter.*

12 *F. Nothing in this Subchapter shall be construed to prohibit the use*
13 *of fireworks by personnel of railroads or other transportation agencies for*
14 *signal purposes or illumination, or the sale or use of blank cartridges for a*
15 *show or theater, or for signal or ceremonial purposes in athletics or sports, or*
16 *for use by military organizations.*

17 *G. Nothing in this Subchapter shall be construed to prohibit the*
18 *assembling, compounding, use and display of fireworks of whatever nature*
19 *by any person engaged in the production of motion pictures, theatricals, or*
20 *operas or when such use and display is a necessary part of the production*
21 *and such person possesses a valid permit to purchase, possess, transport or*
22 *use such fireworks as required by State and local regulations.*

23
24 **§ 9.02.210 PERMITS TO CONDUCT DISPLAYS OF FIREWORKS**
25 **GRANTED BY CITY COUNCIL.**

26 *The City Council, by resolution, upon written application as provided in*
27 *this Subchapter and subject to the provisions of this Subchapter, may grant*
28

1 two (2) permits to conduct a public display of fireworks in a calendar year,
2 each display to occur on a separate date.
3
4

5 § 9.02.215 APPLICATION FOR PERMIT; CONDITIONS FOR FILING.

6 An application for a permit to conduct a public display of fireworks shall
7 be filed in compliance with all of the following:

8 A. Application for a permit to conduct a public display of fireworks
9 shall be filed in the Office of the City Manager, on forms provided by the City,
10 at least 180 days prior to the date requested for conducting the public display
11 of fireworks.

12 B. The following information shall be included on the application:

13 1. The location of the public display of fireworks as
14 approved by the Culver City Fire Department;

15 2. The location for storage of the fireworks to be displayed
16 as approved by the Culver City Fire Department, if within
17 the City;

18 3. Who, if anyone, will provide management services to the
19 applicant for the public display of fireworks and evidence
20 that such manager has complied with all business tax
21 certificate requirements; and

22 4. Any other information deemed necessary by the City
23 Council for the consideration of the application.

24 C. Evidence of the following types of insurance in a form and with
25 endorsements as approved by the City Attorney and in an amount not less
26 than One Million Dollars (\$1,000,000.00) shall be filed with the application:
27
28

1. *Public liability insurance; combined single limit, bodily injury and property damage, each occurrence;*
2. *Premises/operation liability;*
3. *Contractual liability, specifically referencing indemnification agreements with the City; and*
4. *Products liability, including completed operations liability.*

D. *All fees required pursuant to this Code and City Council resolution shall be paid at the time of filing the application; and*

E. *Evidence of compliance with any special conditions required by the Culver City Fire Department because of the location of the public display of fireworks.*

§ 9.02.220 CONDITIONS GOVERNING PERMIT.

Any permit granted to conduct a public display of fireworks shall be governed by all of the following:

A. *The public display of fireworks shall be conducted by a duly licensed pyrotechnician who shall have obtained Culver City Fire Department approval no later than the last day of June of the year in which the permit is granted;*

B. *One public display of fireworks shall be conducted on July 4th, and the other shall be conducted in conjunction with Culver City High School's annual homecoming celebration. Both displays shall be conducted strictly in accordance with all regulations and conditions specified in this Subchapter and in the Council resolution granting the permit;*

C. *Any attempt to transfer a permit to any person shall void the permit;*

D. *The permittee shall agree, in writing, to indemnify and hold harmless the City, its officers, representatives, and employees from any loss*

1 or liability or damages, including expenses and costs, for bodily injury or
2 property damage sustained by any person as a result of any operation related
3 to the permit; and

4 E. Failure to comply with any of the provisions of this Subchapter
5 shall preclude consideration of any application filed if permits have not been
6 granted thereunder; and shall be sufficient cause of the revocation of any
7 permit previously issued.

8 § 9.02.225 SEIZURE OF UNAUTHORIZED FIREWORKS.

9 Any duly authorized member of the Fire Department or Police Department
10 shall seize, take, remove or cause to be removed at the expense of the
11 owner all stocks of fireworks displayed, stored, held or offered or exposed for
12 sale in violation of this Subchapter.

13 § 9.02.230 DISPOSAL OF FIREWORKS.

14 Any fireworks that remain unfired after the public display of fireworks is
15 concluded, or which are seized pursuant to § 9.02.225, shall be disposed of
16 in a way safe for the particular type of fireworks.

17 § 9.02.235 CHANGE TO TIME LIMITS.

18 The City Council, by resolution, may extend or shorten the time
19 requirements established by this Subchapter.

20 § 9.02.240 RESCISSION OF PROHIBITION.

21 The prohibition set forth in § 9.02.205 shall not be rescinded by the
22 City Council without the approval of a majority of the voters voting at a regular
23 or special election.

24
25 3. That the Clerk of the City of Culver City shall file a copy of the change
26 or modifications together with a copy of this Resolution with the California Building
27
28

Standards Commission, and shall obtain an endorsed copy from said Department to
be filed with the City of Culver City.

APPROVED and ADOPTED this ____ day of _____ 2014.

MEGHAN SAHLI-WELLS, MAYOR
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

MARTIN R. COLE, City Clerk

CAROL A. SCHWAB, City Attorney

Culver City Municipal Code

CHAPTER 9.02: FIRE PREVENTION

Section

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CALIFORNIA FIRE CODE ADOPTION AND AMENDMENTS

§ 9.02.005 THE 2010 CALIFORNIA FIRE CODE ADOPTED BY REFERENCE.

A. The City Council hereby adopts all chapters, certain amendments, additions, deletions and exceptions to California Code of Regulations, Title 24, Part 9, known as the 2010 California Fire Code, incorporating the International Fire Code, 2009 Edition, published by the International Code Council, with errata, including the 2010 Fire Code Chapter 1 as amended, Chapter 4 as amended, Chapter 5 as amended, Chapter 11 as amended, Chapter 22 as amended, Chapter 33 as amended, Chapter 34 as amended, Chapter 48 as amended, Appendix Chapter 4, Appendix B as amended, Appendix BB, Appendix C as amended, Appendix CC, Appendix D as amended, Appendix E, Appendix F, Appendix G, Appendix H, Appendix I, and Appendix J, as amended by the State Fire Marshal and adopted by the California Building Standards Commission. The provisions of the California Fire Code, and Fire Code Appendices, as indicated above, shall be applicable in the City and referred to as the "Fire Code of the City of Culver City."

B. One (1) copy of the Fire Code of the City of Culver City shall be available in the Culver City Fire Prevention office for public inspection.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.010 VIOLATIONS AND PENALTIES.

A. No person shall violate any provision or fail to comply with the requirements of the Fire Code of the City of Culver City, hereinafter referred to as the "Fire Code." Any person violating any of the provisions or failing to comply with any of the requirements of the Fire Code shall be guilty of a misdemeanor, and shall be punished in accordance with § 1.01.035 and § 1.01.040 of this Code.

B. In addition to the penalties herein provided above, any condition caused or permitted to exist in violation of any provision of the Fire Code, shall be deemed a public nuisance and may be summarily abated as such, and each day such condition continues, shall be regarded as a new and separate offense.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.015 AMENDMENTS, ADDITIONS, DELETIONS AND SUBSTITUTIONS.

The Fire Code is amended as provided in this Subchapter.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.020 AMENDMENTS; CHAPTER 1 OF THE CALIFORNIA FIRE CODE.

Section 103.1.1 Department of Fire Prevention.

Whenever the term “Department of Fire Prevention” is used in this Code it shall mean the “Fire Prevention and Arson Investigation Division.”

Section 104.11.4 Arrest, Search and Seizure. The apprehension and prosecution of anyone suspected of violating any fire law or arson statute.

Section 105.1.1.1 Permit Fees. Permit Fees shall be adopted by resolution of the City Council.

Section 105.6.3.1 Aviation. An operational permit is required for flying, hovering, landing, and lifting, filming, parking or similar activities.

Section 105.6.34.1 Special Events and Assemblage. An operational permit is required for special events and assemblages.

Section 105.6.48 Non-Defined Operations. An operational permit may be required after a Fire Department Review for hazards to people or property from the proposed operation, system or event.

Section 105.7.15. Roof Obstructions. A permit is required for the installation or modification of solar photovoltaic systems as defined in CCFD Regulation 5-10, roof gardens, landscaped areas or similar obstructions on any roof that covers more than 50% of the roof surface.

Exception: Non-habitable structures include but are not limited to, shade structures, private carports, solar trellises, etc.

Section 108.4 Appeals. Protests and appeals from the enforcement of this subchapter shall be made to the Municipal Code Appeals Committee in accordance with sections 9.04.425 and 9.04.445 of the Culver City Municipal Code.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.025 AMENDMENTS; CHAPTER 4 OF THE CALIFORNIA FIRE CODE.

Chapter 4 is hereby amended to read as follows:

Section 401.1.1 Permits. A permit shall be required as set forth in the Culver City, City Council approved fee schedule for all special event and assemblages.

Section 403.1.1.1 Special Event Application and Submittals. All special events and assemblages shall be submitted to the fire department for review. All applications shall have a contact name, phone number, business name, address, a plot plan, floor plan and sufficient detail and information to allow for a comprehensive evaluation. Permits, Fire Safety Officers, security, and other issues determined by the review shall be provided by the event organizer prior to allowing the event or assemblage to operate. Tents needed for the special event or assemblage shall meet the requirements of CFC Chapter 24 and shall require a separate fire permit.

Section 408.11.2.1 Identification. Identification numbers shall be provided for all individual units in covered mall buildings, multi-unit buildings and other commercial complexes, and shall be placed in such a position as to be plainly visible and legible. The position and size of such identification numbers shall be determined by the Fire Code Official. Numbers and names shall be provided for all enclosed rooms and spaces, including service rooms, mechanical rooms, closets, and similar spaces to identify use.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.030 AMENDMENTS; CHAPTER 5 OF THE CALIFORNIA FIRE CODE.

Chapter 5 is hereby amended to read as follows:

Section 503.1.2.1 Difficult Apparatus Access. If the Fire Code Official or his/her designee determines that access for fire apparatus and equipment to any building or structure, not otherwise required hereunder to maintain an automatic fire-extinguishing system, is unduly difficult, installation of an automatic fire-extinguishing system shall be required.

Section 504.1.1 Keysets, handles, locks and keys. As determined by a fire department review, all noted exterior doors shall be provided with locksets and handles for Fire Department Access. Keys for required access shall be provided by the owner and made readily available in the KNOX Box.

Section 510.4. Emergency Responder Radio Coverage. Section 510 and Appendix J shall be used when radio coverage within a building or structure are below Culver City Fire Department Standards as determined by fire department radio staff testing.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.035 AMENDMENTS; CHAPTER 9 OF THE CALIFORNIA FIRE CODE.

Chapter 9 of the Fire Code is hereby amended to read as follows:

Section 901.4.1.1 Partial Fire Sprinkler Systems.

Where in the Fire Code or the Building Code a partial fire sprinkler system is allowed or required, the fire sprinkler system shall be installed, modified or extended to protect the entire building or structure.⁴⁸

Section 901.4.1.2 Fire Sprinkler Requirements

An automatic fire-extinguishing (sprinkler) system shall be installed in every new building in the City, including any new residential building, hereinafter constructed or moved into the City, regardless of area separation or type of construction.

Exception: New buildings less than 500 square feet may be exempted upon approval of the Fire Code Official.

Section 901.4.1.3 Fire Sprinkler Requirements for Existing Commercial, Industrial and Multi-family Occupancies. In existing commercial, industrial and multi-family residential occupancies, fire sprinklers shall be required in existing and new portions of the building for height increases, area increases of 50% or more, and any occupancy change that increases fire risk or hazard.

Section 901.4.1.4 Fire Sprinkler Requirements for Existing Residential Occupancies. Existing one and two family dwellings shall be required to install a full automatic fire sprinkler system in existing and new portions of the building when a story is added, more than 75% of the existing roof structure is replaced, or the enclosed floor area is increased by more than 75%.

Section. 901.4.5 Systems Maintenance. Sprinkler systems, fire hydrant systems, standpipe systems, fire alarm systems, portable fire extinguishers, smoke and heat ventilators, smoke-removal systems and other fire-protective or extinguishing systems or appliances shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. Fire-protection or extinguishing systems coverage, spacing and specifications and fire alarm systems shall be maintained in accordance with recognized standards at all times. Such systems shall be extended, altered or augmented as necessary to maintain and continue protection whenever any building so equipped is altered, remodeled or added to. Additions, repairs, alterations and servicing shall be in accordance with approved standards. A report of system activation, cause and correction shall be forwarded to the Fire Prevention Office after each incident.

Section 901.6.1.1 Fire Sprinkler Costs. Automatic fire-extinguishing systems shall be installed and maintained at the owner's expense.

Section 907.1.2(9) Voltage Drop Calculations. Maximum percent of voltage drop on any initiation, output, audible/visual circuit or load consuming circuit shall not exceed 10%.

Section. 907.1.6 Projection Room Controls. All projection equipment and audio equipment shall be interconnected to the fire alarm system for shut down, upon an interrupt signal from the fire alarm panel, to prevent interference of all visual and audible evacuation devices and directions from the theatre staff for evacuation directions.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.040 AMENDMENTS; CHAPTER 11 OF THE CALIFORNIA FIRE CODE.

Chapter 11 is hereby amended to read as follows:

Section 1101.4 Permits.

All flight operations within the City of Culver City are required to have an approved Culver City Fire

Department permit, see Section 105.6 and 105.7 for permit requirements. Permits shall cover but not be limited to: flight to perform lifts, hovering, fly over, landings, filming and other operations while flying, hovering or landing.

Commercially operated radio controlled aircraft shall provide a flight plan and sufficient details to allow a review and for the operator to obtain an approved permit from the Culver City Fire Department.

Section 1101.5 Operation and review standards.

Compliance with CA Fire Code Chapter 11 and CCMC 9.09 shall be used to obtain a flight permit and the requirements for flight operations and approvals. All operations shall be reviewed and approved by the fire department. Landing, fueling, repairs, and storage are limited. The need for providing standby personnel, Fire Safety Officers and permits for any or all activities shall be determined by the Fire Department.

Section 1107.1.1 Emergency Helistop. All high-rise buildings, 75 feet or higher, on which construction begins after the date of adoption of this Code, shall have an approved Emergency Helistop on the roof or top floor, unless a written exception request is approved by the Fire Code Official.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.045 AMENDMENT; CHAPTER 22 OF THE CALIFORNIA FIRE CODE.

Chapter 22 is hereby amended to read as follows:

Section 2201.7 Class III-B Liquids. Where in this chapter there is a requirement for Class III-A Liquids, this same requirement shall apply to Class III-B Liquids.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.050 AMENDMENT; CHAPTER 33 OF THE CALIFORNIA FIRE CODE.

Chapter 33 is hereby amended to read as follows:

Section 3301 thru 3308 EXPLOSIVES AND FIREWORKS is hereby deleted in its entirety and replaced by sections 9.02.200 through 9.02.240 of the Culver City Municipal Code.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.055 AMENDMENT; CHAPTER 34 OF THE CALIFORNIA FIRE CODE.

Chapter 34 is hereby amended to read as follows:

Section 3401.6 Class III-B Liquids. Where in this chapter there is a requirement for Class III-A Liquids, this same requirement shall apply to Class III-B liquids.

(Ord. No. 2011-003, § 2 (part))

Section D101.1.2. Whenever the reference is made to Table D103.1, use Culver City Fire Department, Fire Prevention Guidelines and Procedures for Fire Apparatus Access.

(Ord. No. 2011-003, § 2 (part))

FIREWORKS

§ 9.02.200 DEFINITIONS.

The following words and phrases, as used in this Subchapter, are defined as follows:

FIREWORKS. Means and includes any combustible explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, Day glow bombs, sparklers, or other devices of like construction and any devices containing any explosives or flammable compound, or any tablets or other device containing any explosive substance, except that the term ***FIREWORKS*** shall not include any auto flares, paper caps containing not in excess of an average of twenty-five hundredths (.25) of a grain of explosive content per cap, and toy pistols, toy canes or toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times.

PERSON. Includes any individual, firm, partnership, joint venture, association concern, corporation, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

PUBLIC DISPLAY OF FIREWORKS. An entertainment feature where the public is admitted or permitted to view the display or discharge of fireworks, including but not limited to those above defined.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.205 SALE, USE OR TRANSPORTATION OF FIREWORKS; PROHIBITIONS AND RESTRICTIONS.

A. Except as provided herein, it shall be unlawful for any person to use, possess, sell or discharge any fireworks of any kind within the City.

B. Fireworks may be transported through the City from and to points outside the City by any wholesaler, retailer, jobber, warehouseman, or manufacturer; provided that, no fireworks shall be so transported without written approval of the Fire Code Official, which approval shall be revocable for cause and shall be granted only upon application therefore setting forth the description of the route to be used for the transportation and such other information as the Fire Chief shall require.

C. Fireworks may be transported through the City from and to points outside the City by an ultimate consumer of the fireworks.

D. Fireworks may be kept or stored by City safety officers in a safe and secure place pending the lawful

disposal thereof.

E. A person may use, store and possess fireworks in order to conduct a public display of fireworks after obtaining a permit pursuant to this Subchapter.

F. Nothing in this Subchapter shall be construed to prohibit the use of fireworks by personnel of railroads or other transportation agencies for signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations.

G. Nothing in this Subchapter shall be construed to prohibit the assembling, compounding, use and display of fireworks of whatever nature by any person engaged in the production of motion pictures, theatricals, or operas or when such use and display is a necessary part of the production and such person possesses a valid permit to purchase, possess, transport or use such fireworks as required by State and local regulations.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.210 PERMITS TO CONDUCT DISPLAYS OF FIREWORKS GRANTED BY CITY COUNCIL.

The City Council, by resolution, upon written application as provided in this Subchapter and subject to the provisions of this Subchapter, may grant two (2) permits to conduct a public display of fireworks in a calendar year, each display to occur on a separate date.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.215 APPLICATION FOR PERMIT; CONDITIONS FOR FILING.

An application for a permit to conduct a public display of fireworks shall be filed in compliance with all of the following:

A. Application for a permit to conduct a public display of fireworks shall be filed in the Office of the City Manager, on forms provided by the City, at least 180 days prior to the date requested for conducting the public display of fireworks.

B. The following information shall be included on the application:

1. The location of the public display of fireworks as approved by the Culver City Fire Department;
2. The location for storage of the fireworks to be displayed as approved by the Culver City Fire Department, if within the City;
3. Who, if anyone, will provide management services to the applicant for the public display of fireworks and evidence that such manager has complied with all business tax certificate requirements; and
4. Any other information deemed necessary by the City Council for the consideration of the application.

C. Evidence of the following types of insurance in a form and with endorsements as approved by the City Attorney and in an amount not less than one million dollars (\$1,000,000.00) shall be filed with the application:

1. Public liability insurance; combined single limit, bodily injury and property damage, each occurrence;
2. Premises/operation liability;
3. Contractual liability, specifically referencing indemnification agreements with the City; and
4. Products liability, including completed operations liability.

D. All fees required pursuant to this Code and City Council resolution shall be paid at the time of filing the application; and

E. Evidence of compliance with any special conditions required by the Culver City Fire Department because of the location of the public display of fireworks.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.220 CONDITIONS GOVERNING PERMIT.

Any permit granted to conduct a public display of fireworks shall be governed by all of the following:

A. The public display of fireworks shall be conducted by a duly licensed pyrotechnician who shall have obtained Culver City Fire Department approval no later than the last day of June of the year in which the permit is granted;

B. One (1) public display of fireworks shall be conducted on July 4th, and the other shall be conducted in conjunction with Culver City High School's annual homecoming celebration. Both displays shall be conducted strictly in accordance with all regulations and conditions specified in this Subchapter and in the Council resolution granting the permit;

C. Any attempt to transfer a permit to any person shall void the permit;

D. The permittee shall agree, in writing, to indemnify and hold harmless the City, its officers, representatives, and employees from any loss or liability or damages, including expenses and costs, for bodily injury or property damage sustained by any person as a result of any operation related to the permit; and

E. Failure to comply with any of the provisions of this Subchapter shall preclude consideration of any application filed if permits have not been granted thereunder; and shall be sufficient cause of the revocation of any permit previously issued.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.225 SEIZURE OF UNAUTHORIZED FIREWORKS.

Any duly authorized member of the Fire Department or Police Department shall seize, take, remove or cause to be removed at the expense of the owner all stocks of fireworks displayed, stored, held or offered or exposed for sale in violation of this Subchapter.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.230 DISPOSAL OF FIREWORKS.

Any fireworks that remain unfired after the public display of fireworks is concluded, or which are seized pursuant to § 9.02.225, shall be disposed of in a way safe for the particular type of fireworks.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.235 CHANGE TO TIME LIMITS.

The City Council, by resolution, may extend or shorten the time requirements established by this Subchapter.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.240 RESCISSION OF PROHIBITION.

The prohibition set forth in § 9.02.205 shall not be rescinded by the City Council without the approval of a majority of the voters voting at a regular or special election.

(Ord. No. 2011-003, § 2 (part))

ADMINISTRATIVE ASSESSMENT COST RECOVERY PROGRAM

§ 9.02.300 DEFINITIONS.

For the purpose of this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CULVER CITY MUNICIPAL CODE. The ordinances embraced in the Chapters and Sections found in "The Code of the City of Culver City, California," hereinafter referred to as "CCMC."

FAILURE TO NOTIFY.

1. Pre-Test Notification Failure - failure to notify the Fire Department before proceeding with any testing of a fire alarm or fire suppression system which results in an unnecessary response.

2. Post-Test Notification Failure - failure to notify the Fire Department after completion of testing and/or maintenance of a fire alarm or fire suppression system, which results in an unnecessary response.

FALSE ALARM. The deliberate reporting of an alarm for which no fire or emergency actually exists or an alarm that is set off “needlessly” includes, but is not limited to, the triggering of an alarm by conditions that are not typical of a current or impending fire emergency.

FIRE CODE. The “Fire Code of the City of Culver City” as defined in § 9.02.005 of the CCMC.

HAZARDOUS MATERIALS. Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant or potential hazard to human health and safety, to the environment, or to property if released. For the purposes of this chapter **HAZARDOUS MATERIALS** include, but are not limited to, hazardous materials as defined in § 9.03.105 N., O., or P. of the CCMC, and other substances known to cause harm to the environment if released such as used oil, paint, paint residues, and solvents.

HOUSEHOLD HAZARDOUS WASTE. Hazardous waste generated from a Culver City household in conducting non-commercial activities.

MUNICIPAL CODE APPEALS COMMITTEE. The committee is authorized to hear appeals of alleged violations of the CCMC. [CCMC § 9.04.425].

RE-INSPECTION. A repeat inspection for compliance after the issuance of an “Order to Comply” served by a member of the Culver City Fire Department to any person, firm or corporation to correct a Fire Code violation.

SEWER SYSTEM. All pipes, drains, channels, and other means used to transport sewage to the Hyperion Water Treatment Plant for treatment (e.g. household or commercial drains, and the like).

STORM DRAIN SYSTEM. All pipes, drains, channels, and other means used to transport surface waters to the ocean without treatment (e.g., curbside drains, La Ballona Creek, and the like).

UNAUTHORIZED DISCHARGE. A release or emission of materials in a manner which does not conform to the provisions of this code [CCMC § 9.02.005] or applicable public health and safety regulations.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.305 HAZARDOUS MATERIALS CLEANUP.

A. *Violation.* It shall be a violation of this section to release hazardous materials in an unauthorized manner. At no time shall a hazardous material be released into a street or surface where the drainage is to the storm drain system.

B. *Responsibility for cleanup.* The person, firm or corporation responsible for an unauthorized discharge, shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction. When deemed necessary by the Fire Code Official or his designee, cleanup may be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such a cleanup shall be borne by the owner, operator or other operator or other person responsible for the unauthorized discharge.

C. *Assessment of administrative charges.* Costs are determined based on actual personnel costs plus

benefits, and estimated costs of equipment per unit response, plus any other applicable expenditure.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.310 FALSE ALARMS; VIOLATIONS.

A. *Violation.* It shall be a violation of this Section for:

1. Any person, firm, entity or corporation to cause or allow to be caused more than four false alarms within the prior three hundred and sixty-five (365) days from a facility in a residential, commercial, or manufacturing zone; or any other zone recognized by the Culver City Municipal Code.

2. An alarm company to cause or allow to be caused more than one "Failure to Notify" the Culver City Police/Fire Dispatcher to testing, inspecting, or maintaining a fire suppression and/or alarm system of a specified facility within the prior three hundred and sixty-five (365) days. For notification requirements for maintenance, service and testing see California Fire Code Chapter 9, Section 901.

3. An alarm company to cause or allow to be caused more than one "Failure to Notify" the Culver City Police/Fire Dispatcher within one hour after completion of testing, inspecting, or maintaining a fire suppression and/or alarm system of a specified facility, within the prior three hundred and sixty-five (365) days. For notification requirements for maintenance, service and testing see California Fire Code Chapter 9, section 901.

B. Assessment of administrative charges. An administrative charge of one hundred dollars (\$100.00) will be assessed for each additional false alarm above the limits as set forth in division A.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.315 RE-INSPECTIONS.

A. *Violation.* It shall be a violation for any person, firm, entity or corporation to fail to comply within the prescribed time with orders to comply issued by the Culver City Fire Department.

B. *Violation corrected.* Where the violation has been corrected within the time period prescribed as confirmed by inspection or other proof acceptable to the Fire Marshal, the case shall not be assessed.

C. *Violation not corrected.* Where the violation has not been corrected within the time period prescribed by the Fire Department, any additional compliance inspection(s) shall be assessed to the violator at an administrative charge of one hundred dollars (\$100.00) for the first additional inspection. If compliance is still not achieved, a further administrative charge of five hundred dollars (\$500.00) per each additional inspection required shall be assessed.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.320 PENALTIES.

In addition to any administrative costs as described above, violations of this subchapter shall be punished as:

- A. For the first violation in a twelve (12)-month period as an infraction;
- B. For the second and each subsequent violation in a twelve (12)-month period as an infraction or misdemeanor as determined by the City Attorney.

(Ord. No. 2011-003, § 2 (part))

§ 9.02.325 APPEALS.

A. The “initial warning” cannot be appealed. Subsequent notices and orders can be appealed to the Municipal Code Appeals Committee. To contest first and subsequent notices and orders to comply, and/or the administrative fee assessment, a written objection must be filed with the City Clerk's office within ten (10) days of receipt of the appealable notice or order. The City will notify each appellant of the date and time of the scheduled informal hearing.

B. Those who wish to appeal an Order to Comply an Administrative Assessment shall follow the process set forth on the order to comply form and appropriate City procedures.

(Ord. No. 2011-003, § 2 (part))

**PUBLIC NOTICE
CITY OF CULVER CITY**

**NOTICE OF PUBLIC HEARING ON THE INTRODUCTION
OF AN ORDINANCE ADOPTING BY REFERENCE
THE 2010 CALIFORNIA FIRE CODE
WITH LOCAL AMENDMENTS**

NOTICE IS HEREBY GIVEN that on Monday, May 27, 2014, at 7:00 p.m., the City Council of Culver City will conduct a public hearing to introduce an ordinance for the adoption by reference of the 2013 California Fire Code, with local amendments. Further information may be obtained by calling the Culver City Fire Marshal, Mike Bowden at (310) 253-5926.

The public hearing will be held in the Mike Balkman Council Chambers, City Hall, located at 9770 Culver Boulevard, and is accessible to the disabled. Persons with disabilities may call the Culver City Coordinator of Disability Services at (310) 253-6729, or TDD at (310) 253-6736, to request specific accommodations.

Dated: May __, 2014
BY ORDER OF THE CITY CLERK
CITY OF CULVER CITY, CALIFORNIA