

MEETING DATE: 7/14/2014

AGENDA ITEM: Adoption of 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.

ATTACHMENTS

Pages

1. Fire Code Ordinance

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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 Chapter 9.02 of Title 9 of the Culver City Municipal Code, entitled "Fire Prevention," having been repealed in Section 1 above, is hereby replaced as follows: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 57 of the California Fire Code

9.02.065 Amendment; Appendix B of the California Fire Code

9.02.070 Amendment; Appendix C of the California Fire Code

9.02.075 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

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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

12
13 **CALIFORNIA FIRE CODE ADOPTION AND AMENDMENTS**

14
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 57 as
24 amended, Appendix Chapter 4, Appendix B as amended, , Appendix C as
25 amended, Appendix CC, Appendix D as amended, Appendix E, Appendix F,
26 Appendix G, Appendix H, Appendix I, and Appendix K as adopted by the
27 California Building Standards Commission ,Chapter 9.02, the Zoning Code,
28

1 as set forth in Title 17 of this Code, and any other City regulations relating to
2 existing zoning, fireworks, building trades, is hereby adopted. The provisions
3 of the International Fire Code, with errata, California Fire Code, and Fire
4 Code Appendices, as indicated above, shall be applicable in the City and
5 referred to as the "Fire Code of the City of Culver City."

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

9 **§ 9.02.010 VIOLATIONS AND PENALTIES.**

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

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

21
22 **§ 9.02.015 AMENDMENTS, ADDITIONS, DELETIONS, AND**
23 **SUBSTITUTIONS.**

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

26 **§ 9.02.020 AMENDMENT; Chapter 1, DIVISION II OF**
27 **THE CALIFORNIA FIRE CODE.**
28

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

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

11 Section 105.6.3.1 Aviation

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

15 Section 105.6.34.1 Special Events and Assemblage

16 A permit is required for special events and assemblages.
17

18 Section 105.6.48 Non-Defined Operations.

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

22 Section 105.6.49 Installation Contractor Permit.

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

14
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
28

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

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
27
28

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
28

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 **§ 9.02.060 AMENDMENT; CHAPTER 57 OF THE CALIFORNIA FIRE**
15 **CODE.**
16

17 Chapter 57 is hereby amended to read as follows:

18 Section 5701.6 Class III-B Liquids. Where in this chapter there is a
19 requirement for Class III-A Liquids, this same requirement shall apply to
20 Class III-B liquids.
21

22 **§ 9.02.65 AMENDMENT; APPENDIX B OF THE CALIFORNIA FIRE CODE.**

23 Appendix B, Exception, is hereby amended to read as follows:
24

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

1 accordance with Section 903.3.1.1 or 903.3.1.2. The minimum resulting fire-
2 flow shall not be less than 1,500 gallons per minute (5678 L/min) for the
3 prescribed duration as specified in Table B105.1.

4 **§ 9.02.70 AMENDMENT; APPENDIX C OF THE CALIFORNIA FIRE CODE.**

5
6 Appendix C is hereby amended to read as follows:

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

12
13 **§ 9.02.75 AMENDMENT; APPENDIX D, OF THE CALIFORNIA FIRE CODE.**

14 Appendix D is hereby amended to read as follows:

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

18
19 **FIREWORKS**

20
21 **§ 9.02.200 DEFINITIONS.**

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

24
25 *FIREWORKS.* Means and includes any combustible explosive
26 composition, or any substance or combination of substances, or article
27 prepared for the purpose of producing a visible or an audible effect by
28

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

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

15
16 *PUBLIC DISPLAY OF FIREWORKS.* An entertainment feature where the
17 public is admitted or permitted to view the display or discharge of fireworks,
18 including but not limited to those above defined.

19
20 **§ 9.02.205 SALE, USE OR TRANSPORTATION OF FIREWORKS;**
21 **PROHIBITIONS AND RESTRICTIONS.**

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

24 B. Fireworks may be transported through the City from and to points
25 outside the City by any wholesaler, retailer, jobber, warehouseman, or
26 manufacturer; provided that, no fireworks shall be so transported without
27 written approval of the Fire Code Official, which approval shall be revocable
28

1 for cause and shall be granted only upon application therefore setting forth
2 the description of the route to be used for the transportation and such other
3 information as the Fire Chief shall require.

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

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

9 E. A person may use, store and possess fireworks in order to conduct a
10 public display of fireworks after obtaining a permit pursuant to this
11 Subchapter.
12

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

18 G. Nothing in this Subchapter shall be construed to prohibit the
19 assembling, compounding, use and display of fireworks of whatever nature
20 by any person engaged in the production of motion pictures, theatricals, or
21 operas or when such use and display is a necessary part of the production
22 and such person possesses a valid permit to purchase, possess, transport or
23 use such fireworks as required by State and local regulations.
24

25 **§ 9.02.210 PERMITS TO CONDUCT DISPLAYS OF FIREWORKS**
26 **GRANTED BY CITY COUNCIL.**
27
28

1 The City Council, by resolution, upon written application as provided in this
2 Subchapter and subject to the provisions of this Subchapter, may grant two
3 (2) permits to conduct a public display of fireworks in a calendar year, each
4 display to occur on a separate date. The City Council may by resolution,
5 grant an additional special permit for a public fireworks display sponsored by
6 the City.

7
8 **§ 9.02.215 APPLICATION FOR PERMIT; CONDITIONS FOR FILING.**

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

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

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

16 1. The location of the public display of fireworks as approved by the
17 Culver City Fire Department;
18

19 2. The location for storage of the fireworks to be displayed as
20 approved by the Culver City Fire Department, if within the City;
21

22 3. Who, if anyone, will provide management services to the applicant
23 for the public display of fireworks and evidence that such manager has
24 complied with all business tax certificate requirements; and
25

26 4. Transportation routes and any other information deemed
27 necessary by the City Council for the consideration of the application.
28

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

5 1. Public liability insurance; combined single limit, bodily injury and
6 property damage, each occurrence;

7
8 2. Premises/operation liability;

9 3. Contractual liability, specifically referencing indemnification
10 agreements with the City; and

11 4. Products liability, including completed operations liability.
12

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

15
16 E. Evidence of compliance with any special conditions required by the
17 Culver City Fire Department because of the location of the public display of
18 fireworks.

19 **§ 9.02.220 CONDITIONS GOVERNING PERMIT.**
20

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

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

26
27 B. One public display of fireworks may be conducted on July 4th, and
28 one may be conducted in conjunction with Culver City High School's annual

1 homecoming celebration. Any fireworks display shall be conducted strictly in
2 accordance with all regulations and conditions specified in this Subchapter
3 and in the Council resolution granting the permit;

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

5
6 D. The permittee shall agree, in writing, to indemnify and hold harmless
7 the City, its officers, representatives, and employees from any loss or liability
8 or damages, including expenses and costs, for bodily injury or property
9 damage sustained by any person as a result of any operation related to the
10 permit; and

11 E. Failure to comply with any of the provisions of this Subchapter shall
12 preclude consideration of any application filed if permits have not been
13 granted thereunder; and shall be sufficient cause of the revocation of any
14 permit previously issued.
15

16 **§ 9.02.225 SEIZURE OF UNAUTHORIZED FIREWORKS.**

17 Any duly authorized member of the Fire Department or Police Department
18 shall seize, take, remove or cause to be removed at the expense of the
19 owner all stocks of fireworks displayed, stored, held or offered or exposed for
20 sale in violation of this Subchapter.
21

22 **§ 9.02.230 DISPOSAL OF FIREWORKS.**

23 Any fireworks that remain unfired after the public display of fireworks is
24 concluded, or which are seized pursuant to § 9.02.225, shall be disposed of
25 in a way safe for the particular type of fireworks.
26

27 **§ 9.02.235 CHANGE TO TIME LIMITS.**
28

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

3
4 **§ 9.02.240 RESCISSION OF PROHIBITION.**

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

8
9 **ADMINISTRATIVE ASSESSMENT COST RECOVERY PROGRAM**

10 **§ 9.02.300 DEFINITIONS.**

11
12 For the purpose of this Subchapter, the following definitions shall apply
13 unless the context clearly indicates or requires a different meaning.

14 *CULVER CITY MUNICIPAL CODE.* The ordinances embraced in the
15 Chapters and Sections found in “The Code of the City of Culver City,
16 California,” hereinafter referred to as “CCMC.”

17
18 *FAILURE TO NOTIFY.*

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

22
23 2. Post-Test Notification Failure - failure to notify the Fire
24 Department after completion of testing and/or maintenance of a fire alarm or
25 fire suppression system, which results in an unnecessary response.

26 *FALSE ALARM.* The deliberate reporting of an alarm for which no fire or
27 emergency actually exists or an alarm that is set off “needlessly” includes, but
28

1 is not limited to, the triggering of an alarm by conditions that are not typical of
2 a current or impending fire emergency.

3 *FIRE CODE.* The “Fire Code of the City of Culver City” as defined in §
4 9.02.005 of the CCMC.

5
6 *FIRE CODE STANDARDS.* Volume 2 of the “International Fire Code”
7 published by the International Code Council.

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

16
17 *HOUSEHOLD HAZARDOUS WASTE.* Hazardous waste generated from
18 a Culver City household in conducting non-commercial activities.

19 *MUNICIPAL CODE APPEALS COMMITTEE.* The committee is
20 authorized to hear appeals of alleged violations of the CCMC. [CCMC §
21 9.04.425].

22
23 *RE-INSPECTION.* A repeat inspection for compliance after the issuance
24 of an “Order to Comply” served by a member of the Culver City Fire
25 Department to any person, firm or corporation to correct a Fire Code
26 violation.

1 *SEWER SYSTEM.* All pipes, drains, channels, and other means used to
2 transport sewage to the Hyperion Water Treatment Plant, or other City-
3 authorized treatment facility for treatment (e.g. household or commercial
4 drains, and the like).

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

8
9 *UNAUTHORIZED DISCHARGE.* A release or emission of materials in a
10 manner which does not conform to the provisions of this code [CCMC §
11 9.02.005] or applicable public health and safety regulations.

12
13 **§ 9.02.305 HAZARDOUS MATERIALS CLEANUP.**

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

18 B. *Responsibility for cleanup.* The person, firm or corporation
19 responsible for an unauthorized discharge, shall institute and complete all
20 actions necessary to remedy the effects of such unauthorized discharge,
21 whether sudden or gradual, at no cost to the jurisdiction. When deemed
22 necessary by the Fire Code Official or his designee, cleanup may be initiated
23 by the Fire Department or by an authorized individual or firm. Costs
24 associated with such a cleanup shall be borne by the owner, operator or
25 other operator or other person responsible for the unauthorized discharge.
26
27
28

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

5 **§ 9.02.310 FALSE ALARMS; VIOLATIONS.**

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

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

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

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

25 B. *Assessment of administrative charges.* An administrative charge of
26 One Hundred Dollars (\$100.00) will be assessed for each additional false
27 alarm above the limits as set forth in Subsection A.
28

1 **§ 9.02.315 RE-INSPECTIONS.**

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

5
6 B. *Violation corrected.* Where the violation has been corrected within
7 the time period prescribed as confirmed by inspection or other proof
8 acceptable to the Fire Marshal, the case shall not be assessed.

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

16
17 **§ 9.02.320 PENALTIES.**

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

20
21 A. For the first violation in a twelve (12) month period as an infraction;

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

24
25 **§ 9.02.325 APPEALS.**

26 A. The “initial warning” cannot be appealed. Subsequent notices and
27 orders can be appealed to the Municipal Code Appeals Committee. To
28

1 contest first and subsequent notices and orders to comply, and/or the
2 administrative fee assessment, a written objection must be filed with the City
3 Clerk's office within ten (10) days of receipt of the appealable notice or order.
4 The City will notify each appellant of the date and time of the scheduled
5 informal hearing.

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

9
10 **SECTION 3:** Nothing in this Ordinance shall be construed to affect
11 any suit or proceeding impending in any court, or any rights acquired, or
12 liability incurred, or any cause or causes of action acquired or existing, under
13 any act or Ordinance hereby repealed as cited in Section 1 of this Ordinance;
14 nor shall any just or legal right or remedy of any character be lost, impaired or
15 affected by this Ordinance.

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

22 *///*

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SECTION 5: City Council hereby declares that, if any provision,
section, subsection, paragraph, sentence, phrase or word of this Ordinance is
rendered or declared invalid or unconstitutional by any final action in a court
of competent jurisdiction or by reason or any preemptive legislation, then the
City Council would have independently adopted the remaining provisions,
sections, subsections, paragraphs, sentences, phrases, or words of this
Ordinance, and as such they shall remain in full force and effect.
APPROVED and ADOPTED this ____ day of _____ 2014.

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

ATTEST:

APPROVED AS TO FORM:

MARTIN COLE
City Clerk

CAROL A. SCHWAB
City Attorney