

Statutes & Regulation

Training Program

Training Agenda



MODEL TO STATE CODE



CODE ADOPTION PROCESS OUTLINE

What is a model code?

From model to state code

- Distinguishing model code language from state amendments
- Interpreting matrix adoption tables
- Buildings standards vs. non-building standards



MODEL CODE

H & S Code 18916. "Model code" means any building code drafted by private organizations or otherwise, and shall include, but not be limited to, the latest edition of the following:

-Building Code

-Fire Code

-Plumbing Code

-Mechanical Code

-Electrical Code



PARTS OF CCR TITLE 24

- Part 1- California Administrative Code
- Part 2- Volumes 1 & 2- CA Building Code
 - 2015 International Building Code (ICC)
- Part 2.5- California Residential Code
 - 2015 International Residential Code (ICC)
- Part 3- California Electrical Code
 - 2014 National Electrical Code (NFPA)



PARTS OF CCR TITLE 24

- Part 4- California Mechanical Code
 - 2015 Uniform Mechanical Code (IAPMO)
- Part 5- California Plumbing Code
 - 2015 Uniform Plumbing Code (IAPMO)
- Part 6- California Energy Code
- Part 8- State Historical Building Code
- Part 9- California Fire Code
 - 2015 International Fire Code (ICC)



PARTS OF CCR TITLE 24

- Part 10- California Existing Building Code
 - 2015 International Existing Building Code
- Part 11- CA Green Building Standards Code
 - Also called the CAL Green Code
- Part 12- California Reference Standards Code



WHY DO WE HAVE STATE AMENDMENTS?

- Eliminate conflict with state laws
- To include requirements of state laws
- To eliminate conflicts with other adopted model codes.
- Areas where California needs to be more restrictive than the model code



IDENTIFYING STATE AMENDMENTS

- Amendments are shown in italic font
- An entire section may be added
- Some state language may be added to a section
- Some model code language within a section may be deleted
- Entire sections of model code language may be deleted
- Example
 - ***425.8.9 Basement exits.** One exit is required to grade level when the basement is accessible to clients.*



BUILDING STANDARDS LAW

- The California Building Standards Commission (CBSC) adopts the model codes as the State Building Standards Code with the state agency amendments. (HSC 18916)



BUILDING STANDARDS LAW

- The California Building Standards Codes are published once every 3 years (Triennial Code Adoption Cycle) with one interim supplement published 18 months later (Intervening Code Adoption Cycle) (HSC 18942)
 - excluding emergency regulations or errata's



STATE AGENCIES INVOLVED

- Office of the State Fire Marshal (SFM)
- Department of Housing and Community Development (HCD)
- Division of the State Architect (DSA)
- Office of Statewide Health Planning and Development (OSHPD)
- Department of Consumer Affairs (CA)
- California Department of Public Health (DPH)



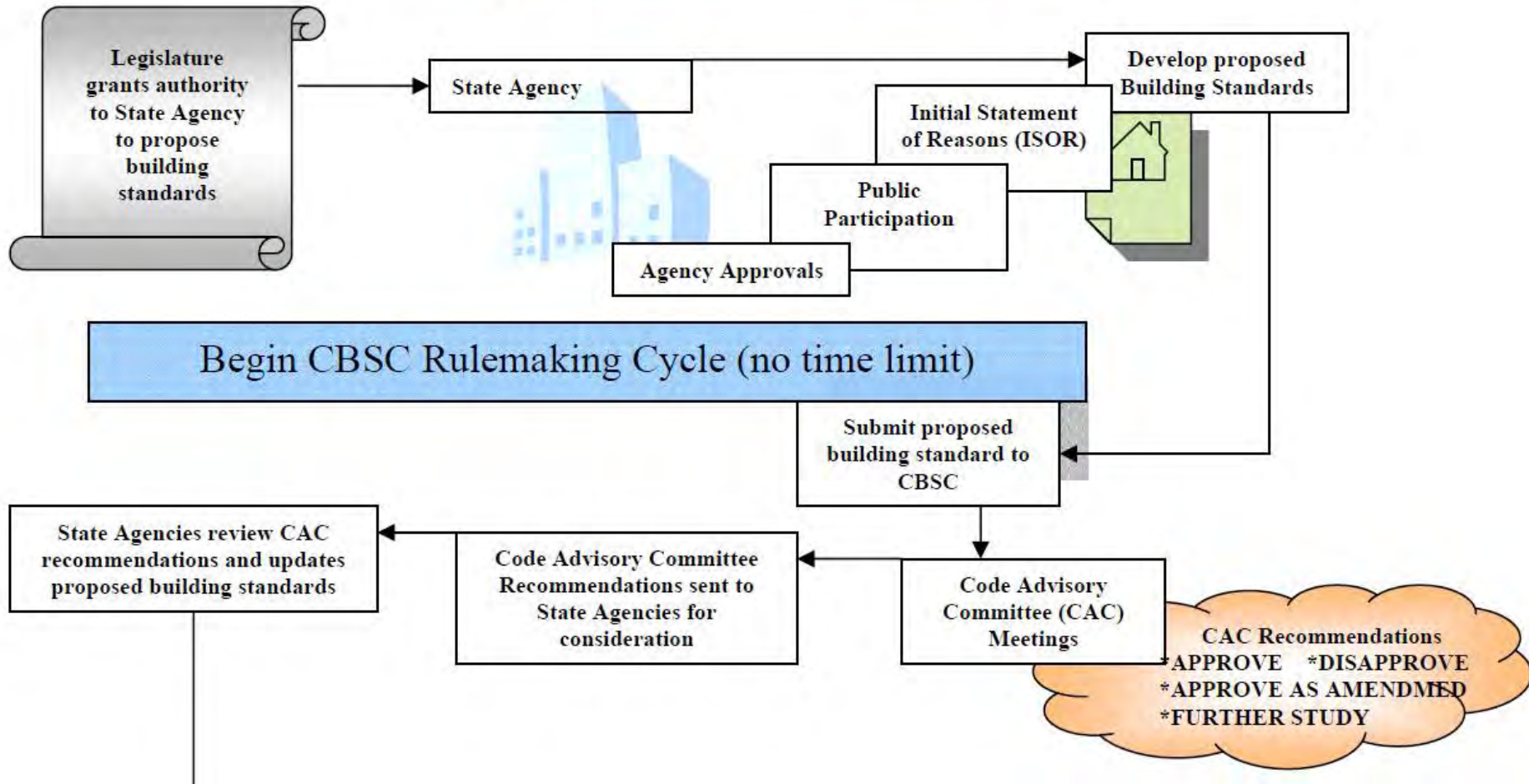
TITLE 24 CODE ADOPTION PROCESS

- Pre-Rulemaking Activities
- Code Advisory Committees (CAC)
- Notice of Rulemaking Activity
- Comment Periods (45-day and 15-day)
- Commission Action (approve and adopt) (G.C. 18938.3)
- Publication and Effective Date (180 days after publication)
- The entire process is roughly 1 year



TITLE 24 CODE ADOPTION PROCESS

CBSC Rulemaking Process



Begin Administrative Procedures Act Portion of Cycle (1 year max.)

Resubmit updated proposed building standards to CBSC



CBSC Publishes Proposed Building Standards and issues Notice to public

45-Day Public Comment Period

Public Hearing

Public Hearing held by CBSC if requested



Agencies considers public comments

Agency amends proposed building standards

Amendments are substantive: New 45-day public comment period

Amendments are non-substantive or no amendments are made

Amendments are sufficiently related to proposed building standards

15-Day Public Comment Period

Submit final proposed building standards to CBSC

Final Proposed Building Standards

Final Statement of Reasons

Summary and Response to Comments

Updated Informative Digest

CBSC Approves, Adopts, and Publishes the Building Standards

LOCAL ADOPTION ORDINANCES

- A local jurisdiction cannot establish less restrictive building standards than the state code.
- A local jurisdiction may establish more restrictive building standards than the state code if they are based upon local Climatic, Geological, or Topographical conditions.
- Local ordinances amending Title 24 must be filed with the CBSC



ERRATA'S & SUPPLEMENT'S

Errata's

- Correcting an error
- Changes without regulatory effect
- Issued on buff colored paper.

Supplement's

- Revisions or additions
- Two Types of Supplement's
 - Regular
 - Emergency
 - Issued on blue paper.



STATUTORY AUTHORITY FOR THE ADOPTION OF BUILDING STANDARDS

- Government Code (GC 50020 et. seq.)
- Fire Protection District Law 1961 (HSC 13869 et. seq.)
- State Housing Law (HSC 17922 et. seq.)
- Building Standards Law (HSC 18938 et. seq.)

<http://leginfo.legislature.ca.gov/faces/codes.xhtml>



BUILDING STANDARDS VS NON-BUILDING STANDARDS

- Title 24 can only containing building standards
- All SFM related non-building standards are in Title 19
- Building standards
 - Most chapters of the Fire Code have now been adopted by the State
 - See Health & Safety Code Section 18909



BUILDING STANDARDS VS NON-BUILDING STANDARDS

- Non-building standards
 - Chapter 3, 4, 8, 25, 26, 56
 - Fire apparatus access roads (T-19)
 - Appendices (not all)



CODE ADOPTION PROCESS

- Title 19 - Public Safety (non-Building Standards)
 - The process of adopting regulations is governed by requirements in the Administrative Procedure Act (commencing with Government Code Section 11340)



CODE ADOPTION PROCESS

- Title 19 - Public Safety (non-Building Standards)
 - Pre-Rulemaking Activities
 - Notice of Rulemaking Activity
 - Comment Periods (45-day and 15-day)
 - Office of Administrative Law Review
 - Publication and Effective Date



QUIZ

- Title 24 is divided into Parts, and Part 9 is the California Fire Code.
- Title 24 applies throughout the State of California and for all occupancies.
- A California Amendment within Title 24 will be identified by italic font print.



TITLE 24- PART 2 & PART 2.5



2016 CALIFORNIA BUILDING CODE

CALIFORNIA CODE OF REGULATIONS
TITLE 24, PART 2, VOLUME 2 OF 2

Based on the 2015 International Building Code®

2016 California Historical Building Code, Title 24, Part 8
2016 California Existing Building Code, Title 24, Part 10
Based on the 2015 International Existing Building Code®

California Building Standards Commission



2016 CALIFORNIA RESIDENTIAL CODE

CALIFORNIA CODE OF REGULATIONS
TITLE 24, PART 2.5

Based on the 2015 International Residential Code®

California Building Standards Commission



BUILDING CODE OBJECTIVE

- To be able to use the matrix adoption tables effectively
- To become familiar with specific sections in Title 24



ABBREVIATIONS

CBSC –	California Building Standards Commission
SFM –	State Fire Marshal
DPH –	Department of Public Health
HCD –	Housing & Community Development
DSA –	Division of State Architect
OSHDPD –	Office of Statewide Health Planning & Development



MARGIN SYMBOLS

Changes in California Building Code sections from the previous edition are indicated by **double vertical line** next to that section

Changes in a model code from the previous edition are indicated by a **solid vertical line** next to that section

Exception: when an entire chapter is revised, this will be stated at the beginning of the chapter



MARGIN SYMBOLS

- **A heavy or solid arrow (→)** in the text means a deletion from the previous code edition
- **An open caret (>)** shown in the text means a deletion from the previous edition of the California Building Code section
- **Single Asterisk (*)** placed in the margin indicates that text or a table has been relocated within the code
- **Double Asterisk (**)** placed in the margin indicates that the text or table immediately following it has been relocated there from elsewhere in the code.



MATRIX ADOPTION TABLE

What is the “Agency Adoption Matrix Table”?

- Not all chapters and sections of the model codes are adopted by the state agencies.
- The matrix adoption tables show which state agencies have adopted and/ or amended the model code.
- It also identifies which **specific** sections of the code the agency has adopted and/ or amended.

Important:

- The Fire code matrix adoption tables also identify (CCR) Title 19 provisions that have been reprinted for the code user’s convenience.



MATRIX ADOPTION TABLE

CHAPTER 2 – DEFINITIONS AND ABBREVIATIONS

Adopting agency	BSC	SFM	HCD			DSA			OSHPD				CSA	DPH	AGR	DWR	CA	SL	SLC
			1	2	1-AC	AC	SS	SS/CC	1	2	3	4							
Adopt entire chapter		X																	
Adopt entire chapter as amended (amended sections listed below)						S	A	M	P	L	E								
Adopt only those sections that are listed below																			
Chapter/Section																			

The state agency has adopted the entire model code chapter without any state amendments.



MATRIX ADOPTION TABLE

CHAPTER 2 – DEFINITIONS AND ABBREVIATIONS

Adopting agency	BSC	SFM	HCD			DSA			OSHPD				CSA	DPH	AGR	DWR	CA	SL	SLC
			1	2	1-AC	AC	SS	SS/CC	1	2	3	4							
Adopt entire chapter																			
Adopt entire chapter as amended (amended sections listed below)		X																	
Adopt only those sections that are listed below						S	A	M	P	L	E								
Chapter/Section																			
202		X																	

The state agency has adopted the entire model code chapter; with state amendments. Each state-amended section that the agency has added to that particular chapter is listed.



MATRIX ADOPTION TABLE

CHAPTER 2 – DEFINITIONS AND ABBREVIATIONS

Adopting Agency	BSC	DPH	CSA	SL	CA	DWR	AGR	CEC	DSA			HCD			OSHPD				SFM	
									AC	SS	SS-CC	1	2	1/AC	1	2	3	4		
Adopt entire chapter																				
Adopt entire chapter as amended (amended sections listed below)					S	A	M	P	L	E										
Adopt only those sections that are listed below													X	X						
Chapter 1																				
202					S	A	M	P	L	E			X	X						
202						C	O	N	T.				X	X						
203													X	X						
203													X	X						

The state agency is adopting only specific model code or state-amended sections within this chapter.

There will be an “X” in the column under the agency’s acronym, as well as an “X” by each section that the agency has adopted.



MATRIX ADOPTION TABLE

CHAPTER 3 – GENERAL PRECAUTIONS AGAINST FIRE

Adopting Agency	BSC	SFM		HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SLC
		T-24	T-19*	1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter																				
Adopt Entire Chapter as amended (amended sections listed below)																				
Adopt only those sections that are listed below		X																		
[California Code of Regulations, Title 19, Division 1]			X																	
Chapter/Section							S	A	M	P	L	E								
301		X																		
[T-19 §3.14]			X																	
[T-19 §3.19 (a-g)]			X																	
304		X																		
[T-19 §3.07(a)]			X																	
[T-19 §3.07(b)]			X																	

If there is an “X” in the T-19 column under SFM, this means that the corresponding section was reprinted from Title 19



MATRIX ADOPTION TABLE

508.1.5		X																	
508.2.1		X																	
510.3		†																	

This state agency does not adopt sections identified with the following symbol: †

The state agency does not adopt sections identified with the “†” symbol.



MATRIX ADOPTION TABLE

Which state agencies will affect you the most?

- **HCD-1** Hotel, Apartment, Condo, Dwellings
- **HCD-2** Mobile Home Parks
- **SFM** A, C, E, H, I, L, R, High-rise, other
- **DSA/AC** Disabled Access
- **OSHPD3** Licensed Clinics and Outpatient Services



CHAPTER 1 -ADMINISTRATION

- California does not do retroactive enforcement
 - Existing non-conforming
 - Held to the year they were built under
- T-24 applies to all occupancies
- Section 1.11 outlines the OSFM scope and responsibility
- Shows delegation to local authority



CHAPTER 1 -ADMINISTRATION

- CBC goes into effect 180 days after publication of a new code edition
 - Unless it's an emergency or errata
- Amendments to model code apply typically only to occupancies regulated by a specific state agency



CHAPTER 1 -ADMINISTRATION

In cases where the code is in conflict with another – the more restrictive applies

- Section 1.1.7 list the Order of precedence
- **Differences-** when Title 24 is different than a reference document, Title 24 shall govern
- **Specific provisions-** Where a specific provision varies from a general provision, the specific provision shall apply
- **Conflicts-** When the requirements of Title 24 conflict, the most restrictive requirements shall prevail



CHAPTER 1 -ADMINISTRATION

- Building Alterations
- Alternative Materials
- Variances and Waivers
- Findings of Facts
- Local Modifications



CHAPTER 2 - DEFINITIONS

- Where the CBC does not provide a definition:
 - “Webster’s Third New International Dictionary of the English Language, Unabridged” shall be considered as providing ordinary accepted meanings
- “Building” Shall Have the Same meaning as Health & Safety Code § 17920 & 18908



HEALTH & SAFETY CODE, §13143

SFM shall prepare and adopt regulations for the prevention of :

- fire
- panic



SFM REGULATED OCCUPANCIES

- A Occupancies
- C Occupancies
- E Occupancies
- I Occupancies
- L Occupancies
- R Occupancies
- High-rise



AUTHORITY TO ENTER AND INSPECT

HEALTH & SAFETY CODE, §13109

- State Fire Marshal:
 - deputies
 - salaried assistants
- Fire Chief:
 - city fire department and their authorized representatives
 - county fire department and their authorized representatives
 - fire protection district and their authorized representatives



SFM REGULATED OCCUPANCIES



GROUP A OCCUPANCIES



GROUP A OCCUPANCIES

In any building or structure used or intended for use, as any assembly occupancy where 50 or more persons may gather together in;

- Building
- Room
- Structure



GROUP A OCCUPANCIES

For the purpose of:

- amusement
- entertainment
- instruction
- deliberation
- worship
- drinking or dining
- awaiting transportation
- education



ASSEMBLY OCCUPANCIES

A-1 Buildings intended for the production and viewing of performing arts or motion pictures (theaters, concert halls).



ASSEMBLY OCCUPANCIES

A-2 Buildings intended for food and/or drink consumption (restaurants).



A-3 Buildings intended for worship, recreation or amusement and other assembly uses not otherwise classified.



ASSEMBLY OCCUPANCIES

A-4 Buildings intended for viewing of indoor sporting events and activities with spectator seating (arenas).



A-5 Buildings intended for participation in or viewing outdoor activities (stadiums).



RESPONSIBILITY TO INSPECT

Health & Safety Code, §13145; Shall enforce building standards relating to fire and panic in their respective areas:

- SFM
- Local government



RESPONSIBILITY FOR ENFORCEMENT

Health & Safety Code, §13146

(b) The chief of any city or county fire department or of any fire protection district, and their authorized representatives, shall enforce within its jurisdiction the building standards and other regulations of the State Fire Marshal, except those described in subdivision (a)(R-3) or (d)(Corporate Cities).



RESPONSIBILITY FOR ENFORCEMENT

Health & Safety Code, §13146 The State Fire Marshal shall have authority to enforce building standards & other regulations of OSFM

- in areas outside of corporate cities and districts
- in corporate cities and districts upon request of the chief fire official or the governing body.



INSPECTION FREQUENCY

Are Assembly Occupancies listed as one of the required state mandated annual inspections?

No

This is **not** mandated by statute or regulation and no state license or fire clearance is required.



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for Assembly Occupancies?

YES

Health & Safety Code, §18941.5 (b)

- Local climatic, geological, or topographical conditions



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in Assembly Occupancies?

YES

Health & Safety Code 13146 &

- o Government Code §66014 (reasonable Costs)



GROUP C OCCUPANCIES

What is an “Organized Camp” ?

Health & Safety Code, §18897-A site with program and facilities established for the primary purpose of providing an outdoor group living experience with

- Social
- Spiritual
- Educational
- Recreational



for five days or more during one or more seasons of the year.



GROUP C OCCUPANCIES

What **isn't** an “Organized Camp” ?

Health & Safety Code, §18897 organized camp does not include:

- motel
- tourist camp
- trailer park
- resort
- hunting camp
- auto court - (KOA)
- labor camp - (Farm Workers)
- Homeless camp
- penal or correctional camp
- a child care institution or home-finding agency.
- any charitable or recreational organization that complies with the rules and regulations for recreational trailer parks.



AUTHORITY TO ENTER AND INSPECT

Health & Safety Code §18897.5 Building standards and other regulations adopted by the State Fire Marshal shall be enforced in the same manner as is prescribed by:

- § 13145
- § 13146

13146.5 So far as practical be carried out at the local level by persons who are regular full time members of an organized fire agency.



INSPECTION FREQUENCY

Are camps listed as one of the required state mandated annual inspections?

No

This is **not** mandated by statute or regulation and no state license or fire clearance is required.



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for Camps?

No

Title 19 1.07 (d) Organized Camps (A.G. Opinion 1974)



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in Camps?

No

Since fees are adopted through local ordinances and local ordinances do not apply to these facilities.



GROUP E OCCUPANCIES



GROUP OCCUPANCIES

Health & Safety Code 13143

- In any building or structure used or intended for use through the 12 grade:
 - Public Schools
 - Private Schools
 - Charter Schools
 - Public or Private



RESPONSIBILITY TO INSPECT

Health & Safety Code, §13145; Shall enforce building standards relating to fire and panic in their respective areas:

- SFM
- Local government



INSPECTION FREQUENCY

Are Educational Occupancies K-12 listed as one of the required state mandated annual inspections?

YES

- The chief of any city or county fire department or district providing fire protection services and his or her authorized representatives shall inspect every building used as a public or private school within his or her jurisdiction, for the purpose of enforcing regulations promulgated pursuant to Section 13146.3, not less than once each year.
- The State Fire Marshal shall make these inspections in areas outside of corporate cities and districts.



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for Educational Occupancies K-12?

No

Not permitted based upon case law: Hall vs. City of Taft (Title 19 1.07) 1956 (Public Schools)



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in Educational Occupancies K-12?

No

- Title 19 1.07 (Local Ordinance)
- Local fees are adopted through local ordinances and local ordinances do not apply to these facilities.



ABILITY TO CHARGE AN INSPECTION FEE

- OFFICE OF THE ATTORNEY GENERAL
No. 14-403
- “school districts are agencies of the state for the local operation of the state school system,”
- a state entity “is not subject to local regulations unless the Constitution says it is or the Legislature has consented to such regulation...”



COMMUNITY COLLEGES

EDUCATION CODE - Section 66700

- 66700 The California Community Colleges are post secondary schools and shall continue to be a part of the public schools system of this state.
- Inspection cycle would be up to local AHJ



GROUP E CHILD DAY CARE

Day care facility shall be classified as Group E occupancy when the facility provides day care for more than 6 children aged 2 and over *or* the facility provides care for more than 6 but no more than 100 children aged under 2 on less than a 24 hour basis.

- CBC Section 442 – Group E Day Care General Provisions
- CFC 907.2.3.8.1 – Group E Fire Alarm
- CFC 903.2.3 – Group E Fire Sprinklers
- **Not a State Mandated Inspection**



INSPECTION FREQUENCY

Are Educational Occupancies K-12 listed as one of the required state mandated annual inspections?

YES

- The chief of any city or county fire department or district providing fire protection services and his or her authorized representatives shall inspect every building used as a public or private school within his or her jurisdiction, for the purpose of enforcing regulations promulgated pursuant to Section 13146.3, **not less than once each year.**
- The State Fire Marshal shall make these inspections in areas outside of corporate cities and districts



GROUP I OCCUPANCIES



INSTITUTIONAL GROUP I-2 OCCUPANCIES



RESPONSIBILITY TO INSPECT

Health & Safety Code, §13145; Shall enforce building standards relating to fire and panic in their respective areas:

- SFM
- Local government



INSPECTION FREQUENCY FOR I-2 HOSPITALS

Are Group I-2 Hospital Occupancies listed as one of the required state mandated annual inspections?

No

- This is not mandated by statute or regulation



INSTITUTIONAL GROUP I-2 HOSPITALS (HIGH RISE)

Hospitals are required to comply most provisions contained in CBC § 403 for high-rise buildings, however, hospitals are not part of the defined high-rise and are exempt from other statutory mandates.



SPECIAL PROVISIONS REGARDING HEALTH CARE CONSTRUCTION PROJECTS

- Health & Safety Code, §129680
- Office of Statewide Health Planning and Development (OSHPD) has jurisdiction over hospital construction.
- Local ordinances do not apply



GROUP I-2.1 AMBULATORY HEALTH CARE



GROUP I-2.1 AMBULATORY HEALTH CARE

Group I-2.1 Ambulatory health care facility.

For outpatient medical care that may render the patient incapable of unassisted self-preservation and where each tenant space accommodates more than five such patients.



RESPONSIBILITY TO INSPECT

Health & Safety Code, §13145; Shall enforce building standards relating to fire and panic in their respective areas:

- SFM
- Local government



INSPECTION FREQUENCY FOR I-2.1 AMBULATORY HEALTH CARE FACILITY

Are Group I-2.1 Ambulatory health care facility listed as one of the required state mandated annual inspections?

No

- This is not mandated by statute or regulation.
- 850 Fire Clearance may be required



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in I-2.1 Occupancies (Ambulatory Surgical Centers)?

Yes

- 13146 (f) Any fee charged pursuant to the enforcement authority of this section shall not exceed the estimated reasonable cost of providing the service for which the fee is charged, pursuant to Section 66014 of the Government Code.



INSTITUTIONAL GROUP I-3 OCCUPANCIES



RESPONSIBILITY TO INSPECT

Authority to Inspect Group I-3 Occupancies (Local Jails) Health & Safety Code 13146.1

- State Fire Marshal, unless the chief of any city or county fire department or fire protection district, or that chief's authorized representative, indicates in writing to the State Fire Marshal that inspections of jails or places of detention, therein, shall be conducted by the chief, or the chief's authorized representative and submits the reports as required in subdivision (c).



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in I Occupancies (Local Jails)?

Yes

- 13146 (f) Any fee charged pursuant to the enforcement authority of this section shall not exceed the estimated reasonable cost of providing the service for which the fee is charged, pursuant to Section 66014 of the Government Code.



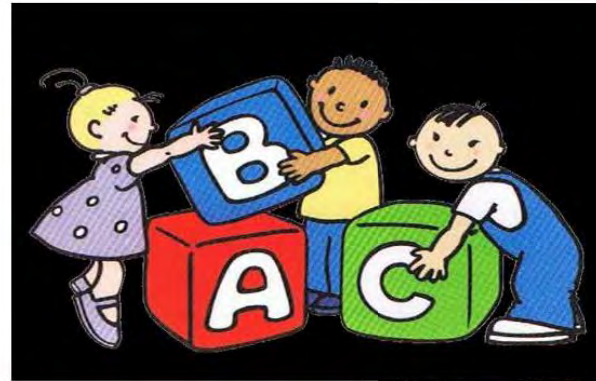
ABILITY TO CHARGE AN INSPECTION FEE

Health & Safety Code 13146.1(d)

The State Fire Marshal, or his authorized representative may charge and collect a fee for the inspection from the local government sufficient to pay the cost of that inspection or related fire & life safety activities.



INSTITUTIONAL GROUP I-4 OCCUPANCIES



INSTITUTIONAL GROUP I-4 OCCUPANCIES

Institutional Group I-4, day care facilities.

This group shall include buildings and structures occupied by more than six clients of any age who receive custodial care for fewer than 24 hours per day

- Adult day care
- Child day care
- CBC Section 426.1 Group I-4 provisions



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for Group I Occupancies?

Yes

Health & Safety Code, §18941.5 (b)

- o Local climatic, geological, or topographical conditions



ADULT DAY HEALTH CARE CENTER THAT PROVIDES CARE FOR ADULTS WITH ALZHEIMER'S DISEASE AND OTHER DEMENTIAS

Health & Safety Code § 1584

- (1) The center shall be subject to all fire and building codes, regulations, and standards applicable to adult day health care centers using egress control devices or secured perimeter fences and shall receive
 - fire clearance from the fire authority is required
- (7) Emergency fire and earthquake drills shall be conducted at least once every three months, or more frequently as required by a county or city fire department or local fire prevention district.



CHILD DAY CARE CENTER

Health & Safety Code § 1596.95(f)

- Fire escape and disaster plan
- Conduct fire and disaster drills at least once every six months
- Documentation of these drills shall be maintained at the facility
 - Shall include the date and time of the drills.
- One or more carbon monoxide detectors
 - Licensing Agency shall account for the presence of these detectors during inspections - **not local fire.**



RESPONSIBILITY TO INSPECT

Health & Safety Code, §13145; Shall enforce building standards relating to fire and panic in their respective areas:

- SFM
- Local government



INSPECTION FREQUENCY FOR I-4 DAY CARES

Are Group I-4 day care facilities listed as one of the required state mandated annual inspections?

No

- This is not mandated by statute or regulation.
- An initial 850 Fire Clearance is required



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in I-4 occupancies?

Yes

13146 (f) Any fee charged pursuant to the enforcement authority of this section shall not exceed the estimated reasonable cost of providing the service for which the fee is charged, pursuant to Section 66014 of the Government Code.



LARGE FAMILY DAY CARE

Health & Safety Code § 1597.46 defines and provides requirements which are repeated in CBC 455

- Single Family Dwelling (local permit required)
- Local Ordinances of reasonable restrictions and requirements of:
 - Spacing and concentration
 - Traffic control
 - Parking
 - Noise control



LARGE FAMILY DAY CARE

- A large family day care home may provide care for more than 12 children and up to and including 14 children
- Single or multiple station smoke alarms shall be installed & maintained in accordance with CFC 907.2.11.2



LARGE FAMILY DAY CARE

- Does not constitute a change of occupancy.
(CBC445.2)
- Shall be equipped with State Fire Marshal approved & listed residential type smoke alarms.
(CBC445.2)
- Local Ordinances for fire & life safety do not apply unless applicable to all single family dwellings.



LARGE FAMILY DAY CARE

- CFC 907.2.6.4 Shall be provided at least one manual device
 - at a location approved by the authority having jurisdiction.
 - Shall actuate a fire alarm signal which shall be audible throughout the facility at a minimum level of 15 db above ambient noise level.



LARGE FAMILY DAY CARE

- Need not be interconnected to any other fire alarm device, have a control panel or be electrically supervised or provided with emergency power.
- Shall be attached to the structure and may be of any type acceptable to the enforcing agency, provided that such devices are distinctive in tone and are audible throughout the structure.



LARGE FAMILY DAY CARE

- Must be equipped with a portable fire extinguisher minimum 2A10BC *(CBC 455.4)*
- Children cannot be located above the first story – there are 3 exceptions that allow Kinder, 1st and 2nd to be on the second floor *(CBC 426.1 & 455.6)*
- Special Hazards – gas fired water heater or furnace shall be protected to prevent children from making contact. *(CBC 455.7)*



LARGE FAMILY DAY CARE

- Every story or basement shall be provided with two exits which are remotely located from each other. A manually operated horizontal sliding door may be used as one of the two required exits. *(CBC 1006.2.2.7)*
- Exit doors shall be openable from the inside without use of a key or any special knowledge or effort. *(CBC 1006.2.27)*



LARGE FAMILY DAY CARE

- Shall have one or more carbon monoxide detectors in the facility.



The Community Care Licensing Division shall account for the presence of these detectors during inspections.

INSPECTION FREQUENCY

Is a Large Family Day required to be inspected annually?

No

Residential Group R-3 Single Family Dwellings are not required to be inspected on an annual basis.



LARGE FAMILY DAY CARE

Can an attached garage at a large Family Day Care be used as a play area without a permit from Building and Safety showing a conversion?

Since the garage is not considered a habitable area of the home and is not considered as part of the square footage of the home the garage should not be utilized as part of the family day care.

Typically garages are used to park vehicles, contain storage, water heaters, A.C. and Heating, washers and dryers all which could be an inherent hazard to the children if used as a play area.



LARGE FAMILY DAY CARE

Whose responsibility would it be to determine if an addition has a permit for a garage conversion?

Community Care Licensing Division

- *If the provider is showing the home and the garage as part of the day care to licensing then licensing should be the agency to ask if it is permitted. However, nothing precludes the AHJ from asking if the garage is going to be used as part of the day care facility.*



SMALL FAMILY DAY CARE

Health & Safety Code 1597.44. A small family day care home may provide care for more than six and up to eight children, without an additional adult attendant, if all of the following conditions are met:

- At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age.
- No more than two infants are cared for during any time when more than six children are cared for.



SMALL FAMILY DAY CARE

- The licensee notifies each parent that the facility is caring for two additional school age children and that there may be up to seven or eight children in the home at one time.
- The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.
 - Per licensing; they typically will license a facility for eight children.



SMALL FAMILY DAY CARE

1597.45. All of the following shall apply to small family day care homes:

- Shall be considered a residential use of property for the purposes of all local ordinances.
- No local jurisdiction shall impose a business license, fee, or tax for the privilege of operating a small family day care home.
- Shall not constitute a change of occupancy



SMALL FAMILY DAY CARE

A small family day care home shall contain:

- Fire extinguisher
- Smoke alarm that meet standards established by the State Fire Marshal
- One or more functioning carbon monoxide detector that meet the requirements of Chapter 8 of Part 2 of Division 12
 - *The department (Community Care Licensing) shall account for the presence of the carbon monoxide detectors during inspections.*

No Annual inspection is required.



GROUP L OCCUPANCIES



GROUP L OCCUPANCIES

Health & Safety Code § 13143

Any laboratory or research and development facility that stores, handles, or uses regulated hazardous materials.



RESPONSIBILITY TO INSPECT

Health & Safety Code, §13109

- To enter and inspect them at the time and for the purpose stated in this section (any reasonable hour).
 - SFM
 - Fire Chief



INSPECTION FREQUENCY

Are L Occupancies listed as one of the required state mandated annual inspections?

No

This is not mandated by statute and no state license or fire clearance is required



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for L Occupancies?

YES

See Health & Safety Code, §18941.5 (b)
Local climatic, geological, or topographical conditions



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in L Occupancies?

YES

- Health & Safety Code 13146
- Local Ordinance



GROUP OCCUPANCIES



RESIDENTIAL GROUP R-1

Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including:

- Boarding houses (transient) with more than 10 occupants
- *Congregate residents* (transient) with more than 10 occupants
- Hotels (transient)
- Motels (transient)

○ ***DEFINITION: Transient 30 days or less***



RESPONSIBILITY TO INSPECT

Health & Safety Code, §13145;

- Shall enforce building standards relating to fire and panic in their respective areas:
 - SFM
 - Local government



INSPECTION FREQUENCY

Is Residential Group R-1 Occupancies listed as one of the required state mandated annual inspections?

YES

Health & Safety Code § 13146.2. (a) Every city or county fire department or district providing fire protection services required by Sections 13145 and 13146 to enforce building standards adopted by the State Fire Marshal and other regulations of the State Fire Marshal shall annually.

The State Fire Marshal shall make these inspections in areas outside of corporate cities and districts.



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for Residential Group R-1 Occupancies?

Yes

Health & Safety Code, §18941.5 (b) Local climatic, geological, or topographical conditions



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in Residential Group R-1 Occupancies?

Yes

Health & Safety Code § 13146.2 A city, county, or district that provides related fire and life safety activities may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county, or district, sufficient to pay the costs of that inspection.



RESIDENTIAL GROUP R-2

Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:

- Apartment houses
- Boarding houses
(nontransient) with more than 16 occupants
- Congregate residences
(nontransient) with more than 16 occupants
- Convents
- Dormitories
- Fraternities and sororities
- Live/work units
- Monasteries
- Vacation timeshare properties
- Hotels (nontransient)
- Motels (nontransient)



RESIDENTIAL GROUP R-2.1

This occupancy shall include buildings, structures or parts thereof housing clients, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services.

This occupancy may contain more than six non-ambulatory and/or bedridden clients. This group shall include, but not be limited to, the following:



RESIDENTIAL GROUP R-2.1

Assisted living facilities such as:

- *Residential care facilities,*
- *Residential care facilities for the elderly (RCFEs),*
- *Adult residential facilities,*
- *Congregate living health facilities,*
- *Group homes,*
- *Residential care facilities for the chronically ill,*
- *Congregate living health facilities for the terminally ill.*



RESIDENTIAL GROUP R-2.1

Social rehabilitation facilities such as:

- *Halfway houses,*
- *Community correctional centers,*
- *Community correction reentry centers,*
- *Community treatment programs,*
- *Work furlough programs,*
- *Alcoholism or drug abuse recovery or treatment facilities*



RESPONSIBILITY TO INSPECT

Health & Safety Code, §13145; Shall enforce building standards relating to fire and panic in their respective areas:

- SFM
- Local government



INSPECTION FREQUENCY

Is Residential Group R-2.1 Occupancies listed as one of the required state mandated annual inspections?

Yes

Health & Safety Code § 13146.2. (a) Every city or county fire department or district providing fire protection services required by Sections 13145 and 13146 to enforce building standards adopted by the State Fire Marshal and other regulations of the State Fire Marshal shall annually.

The State Fire Marshal shall make these inspections in areas outside of corporate cities and districts.



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for Residential Group R-2.1 Occupancies?

No

- Health & Code § 13131.5: Building standards for this type of occupancy are in statute, therefore we cannot be more restrictive.



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in Residential Group R-2.1 Occupancies?

Yes

Health & Safety Code § 13146.2 A city, county, or district that provides related fire and life safety activities may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county, or district, sufficient to pay the costs of that inspection.



RESIDENTIAL GROUP R-3.1

This occupancy group may include facilities licensed by a governmental agency for a residentially based 24-hour care facility providing accommodations for *six or fewer clients of any age*. Clients may be classified as ambulatory, non-ambulatory or bedridden.

- Adult residential facilities
- Congregate living health facilities
- Foster family homes
- Group homes
- Residential care facilities for the elderly
- Nurseries for the full-time care of children under the age of six, but not including “infants”.
- Small family homes and residential care facilities for the chronically ill



RESPONSIBILITY TO INSPECT

- Health & Safety Code, §13145; Shall enforce building standards relating to fire and panic in their respective areas:
 - SFM
 - Local government
- Use of a family dwelling for purposes of a residential care facility for the elderly serving six or fewer persons shall not constitute a change of occupancy
- Initial 850 Fire Clearance required



INSPECTION FREQUENCY

Is Residential Group R-3.1 Occupancies listed as one of the required state mandated annual inspections?

No

Health & Safety Code § 1566.3

- Use of a family dwelling for purposes of a residential care facility for the elderly serving six or fewer persons shall not constitute a change of occupancy
- Single Family Dwellings are not required to be inspected annually



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for Residential Group R-3.1 Occupancies?

No

Health & Safety Code § 1566.45 (d) For facilities that care for six or fewer clients, a local fire official shall not impose fire safety requirements stricter than the fire safety regulations promulgated for the particular type of facility by the Office of the State Fire Marshal or the local fire safety requirements imposed on any other single family dwelling, whichever is more strict.



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in Residential Group R3.1 Occupancies?

No

Health & Safety Code §1566.2. Neither the State Fire Marshal nor any local public entity shall charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential facilities which serve six or fewer persons.

- *Pre-Inspection fee only*



RESIDENTIAL GROUP R-4

This occupancy shall include buildings, structures or portions thereof for **more than six ambulatory clients, but not more than 16 persons.** This occupancy classification may include a **maximum six non-ambulatory or bedridden clients** (*see Section 425*) Group R-4 occupancies shall include the following:



RESIDENTIAL GROUP R-4

Assisted living facilities such as:

- *Residential care facilities,*
- *Residential care facilities for the elderly (RCFE),*
- *Adult residential facilities,*
- *Congregate living health facilities,*
- *Group homes*



RESIDENTIAL GROUP R-4

Social living facilities such as:

- *Halfway houses,*
- *Community correctional centers,*
- *Community correction reentry centers,*
- *Community treatment programs,*
- *Work furlough programs,*
- *Alcoholism or drug abuse recovery or treatment facilities.*



RESPONSIBILITY TO INSPECT

Health & Safety Code, §13145; Shall enforce building standards relating to fire and panic in their respective areas:

- SFM
- Local government



INSPECTION FREQUENCY

Is Residential Group R-4 Occupancies listed as one of the required state mandated annual inspections?

YES

Health & Safety Code § 13146.2. (a) Every city or county fire department or district providing fire protection services required by Sections 13145 and 13146 to enforce building standards adopted by the State Fire Marshal and other regulations of the State Fire Marshal shall annually inspect

The State Fire Marshal shall make these inspections in areas outside of corporate cities and districts.



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for Residential Group R-4 Occupancies?

Yes

Health & Safety Code, §18941.5 (b) Local climatic, geological, or topographical conditions



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in Residential Group R-4 Occupancies?

Yes

Health & Safety Code § 13146.2

- A city, county, or district that provides related fire and life safety activities may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county, or district, sufficient to pay the costs of that inspection.



LICENSED RESIDENTIAL CARE FACILITIES

CBC § 435





RESIDENTIAL CARE FACILITIES DEFINED

- **Group R-2.1 Occupancies:** Facilities housing more than six non-ambulatory or bedridden regardless of licensing agency.
- **Group R-4 Occupancies:** Facilities housing seven or more ambulatory – may have up to six non-ambulatory or bedridden; regardless of licensing agency.
- **Group R-3.1 Occupancies:** Facilities housing six or less clients of any age
 - (Ambulatory, non-ambulatory or bedridden – regardless of licensing agency)



DEFINITIONS

- **Existing** means facilities licensed prior to January 1, 2008 are viewed, inspected and regulated under the 2001 CBC standards
 - See SFM Code Interpretation 08-060
- **New** means facilities licensed after January 1, 2008 are to meet current standards
- **Restraint CBC § 202** – shall mean the physical retention of a person within a room, cell or holding facility by any means, or within a building by means of locked doors



DEFINITIONS

- **Temporarily Bedridden-** Licensee shall notify AHJ within 48 hours. Clients are ok for 14 days; and up to 60 days with CCLD approval

Note: Clients may just require assistance in getting out of bed, but be otherwise ambulatory or they may be totally “bedridden”

The Director of Social Services or his or her designated representative shall make the determination of the bedridden status of persons with or without developmental disabilities.



DEFINITIONS

- **Bedridden** means a person, requiring assistance in turning and repositioning in bed, or being unable to independently transfer to and from bed, except in facilities with appropriate and sufficient care staff, mechanical devices if necessary, and safety precautions as determined in **Title 22** regulations, by the Director of Social Services or his or her designated representative. Health & Safety Code §1566.456

The Director of Social Services or his or her designated representative shall make the determination of the bedridden status of persons with or without developmental disabilities.



DEFINITIONS

- **Non-Ambulatory Persons** are persons unable to leave a building unassisted under emergency conditions. It includes, but is not limited to, persons who depend on mechanical aids such as crutches, walkers and wheelchairs and any person who is unable to physically or mentally respond to a sensory signal approved by the State Fire Marshal or an oral instruction relating to fire danger. Health & Safety Code §13131

The Director of Social Services or his or her designated representative shall make the determination of the ambulatory or non-ambulatory status of persons with or without developmental disabilities.



LICENSING AGENCIES



- Department of Social Services,
 - Community Care Licensing Division



- Department of Developmental Services



- Department of Public Health



- Department of Corrections



LICENSES THROUGH THE DEPARTMENT OF SOCIAL SERVICES

- Residential Care Facilities (RCF)
- RCF for the Elderly (RCFE)
- Adult Residential Facilities (ARF)
- Group Homes
- Foster Family Homes



THE PRE-INSPECTION REQUEST



PRE-INSPECTION INFORMATION FOR THE FIRE INSPECTOR

- Health & Safety Code §13235 (a) Upon receipt of a request from a prospective licensee of a community care facility, a residential care facility for the elderly, or of a child day care facility, the local fire enforcing agency or the State Fire Marshal, whichever has primary jurisdiction, shall conduct a pre-inspection of the facility prior to the final fire clearance approval.



PRE-INSPECTION INFORMATION FOR THE FIRE INSPECTOR

At the time of the pre-inspection, the primary fire enforcing agency shall provide consultation and interpretation of fire safety regulations, and shall notify the prospective licensee of the facility in writing of the specific fire safety regulations which shall be enforced in order to obtain fire clearance approval.



PRE-INSPECTION INFORMATION FOR THE FIRE INSPECTOR

A fee equal to, but not exceeding, the actual cost of the pre-inspection services may be charged for the pre-inspection of a facility.



FIRE PRE-INSPECTION/CONSULTATION REQUEST

NOTE: Complete and submit this form and payment of fee, to the Fire Authority responsible for inspecting your facility. **DO NOT** send to Community Care Licensing.

I hereby request the Fire Authority having jurisdiction to survey my property for compliance with the fire and life safety provisions required for licensing as a:

- Community Care Facility (Health & Safety Code Section 1502)
 Residential Care Facilities for the Chronically Ill (Health and Safety Code Section 1568.072)
 Residential Care Facility for Elderly (Health & Safety Code Section 1569.2)
 Child Day Care Facility (Health & Safety Code Section 1596.750)

with a capacity of:

- 25 or less clients
 26 or more clients
- Number of Non-ambulatory _____

A fee equal to but not exceeding, the actual cost of the pre-inspection service may be charged. (Health and Safety Code Section 13235)

FACILITY NAME _____

ADDRESS _____

CITY _____

ZIP _____

OWNER/CONTACT _____

TELEPHONE NUMBER _____

SIGNED _____

DATE _____

For Fire Authority Use Only

Request/Fee Received	_ / _ / _	By _____
Fee To Accounting	_ / _ / _	By _____
Inspection Date	_ / _ / _	By _____
850 Received	_ / _ / _	
Cleared	_ / _ / _	By _____

FILE # _____

OCCUPANCY GROUP _____



HEALTH & SAFETY CODE - FEES

- H & S Code § 13235. (a) ... A fee equal to, but not exceeding, the actual cost of the pre-inspection services may be charged for the pre-inspection of a facility with a capacity to serve 25 or fewer persons. A fee equal to, but not exceeding, the actual cost of the pre-inspection services may be charged for a pre-inspection of a facility with a capacity to serve 26 or more persons.



Fire Safety Inspection Request



FIRE SAFETY INSPECTION REQUEST

- State Form 850 can be used by any State Agency. It is not a State Fire Marshal form
- Top of form is to be completed by Community Care Licensing for Residential and Child Care Facilities
- Form states number and ambulatory status of clients



FIRE SAFETY INSPECTION REQUEST

- Facility and contact information
- Fire Inspector inspection date and conditions
- Final inspection must be completed within 30 days. Health & Safety Code § 13235



FIRE SAFETY INSPECTION REQUEST

See instructions on reverse.

STD. 850 (REV. 10-94)

AGENCY CONTACT'S NAME Jane Doe	TELEPHONE NUMBER (916) 555-1212	REQUEST DATE 04/07/09	PROGRAM
EVALUATOR'S NAME Letsplan Ahead, LPA	REQUESTING AGENCY FACILITY NUMBER 1230003567	REQUEST CODE 3	
LICENSING AGENCY NAME AND ADDRESS Department of Social Services Community Care Licensing 2525 Natomas Park Drive, Ste 270 Sacramento, CA 95833-2931			CODES 1. ORIGINAL A. FIRE CLEARANCE 2. RENEWAL B. LIFE SAFETY 3. CAPACITY CHANGE 4. OWNERSHIP CHANGE 5. ADDRESS CHANGE 6. NAME CHANGE 7. OTHER

AMBULATORY		NONAMBULATORY		BEDRIDDEN		TOTAL CAPACITY
CAPACITY	PREVIOUS CAPACITY	CAPACITY	PREVIOUS CAPACITY	CAPACITY	PREVIOUS CAPACITY	
1	2	4	4	1	0	6
FACILITY NAME My Home						LICENSE CATEGORY RCFE
STREET ADDRESS (Actual Location) 1234 Anystreet Road						NUMBER OF BUILDINGS 1
CITY Yourtown, CA 95826						RESTRAINT NONE
FACILITY CONTACT PERSON'S NAME Ima Niceperson (530) 555-1212						HOURS 24/7
SPECIAL CONDITIONS						

TO BE COMPLETED BY INSPECTING AUTHORITY

FIRE AUTHORITY NAME AND ADDRESS THEBEST FIRE DISTRICT 1233 FIREHOUSE DRIVE YOURTOWN, CA 95628				CLEARANCE/DENIAL CODE 1A	
INSPECTOR'S NAME (Typed or Printed) Maria Fuego				CODES 1. FIRE CLEARANCE GRANTED 2. FIRE CLEARANCE DENIED A. EXITS B. CONSTRUCTION C. FIRE ALARM D. SPRINKLERS E. HOUSEKEEPING F. SPECIAL HAZARD G. OTHER	
TELEPHONE NUMBER (916) 987-6543		CFIRS NUMBER 34000		OCCUPANCY CLASS R-3.1	
INSPECTION DATE 04/08/09		INSPECTOR'S SIGNATURE (Typed or Printed) #1234 Maria Fuego			
EXPLAIN DENIAL OR LIST SPECIAL CONDITIONS					

BEDRIDDEN APPROVAL FOR BEDROOM 5 ONLY, NON-AMBULATORY APPROVAL FOR BEDROOMS 1,2, AND 5 ONLY,
 AMBULATORY APPROVED FOR ALL BEDROOMS



HEALTH & SAFETY CODE - FEES

H & S Code § 1566.2 & H & S Code § 1569.84
...Neither the State Fire Marshal nor any local public entity shall charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential care facilities for the elderly which service six or fewer persons.



HEALTH & SAFETY CODE - FEES

- **Health & Safety Code § 13131.5.** A reasonable final inspection fee, not to exceed the actual cost of inspection services necessary to complete a final inspection may be charged for occupancies classified as residential care facilities for the elderly which service more than six persons



R-3.1 LIMITATIONS

- **Health & Safety Code § 1566.** For the purposes of this article, “six or fewer persons” does not include the licensee or members of the licensee’s family or persons employed as facility staff.



R-3.1 LIMITATIONS

- **Health & Safety Code § 1566.3.** (f) Use of a family dwelling for purposes of a residential facility serving six or fewer persons shall not constitute a change of occupancy



R-3.1 LIMITATIONS

- **Health & Safety Code § 1566.45** (d) For facilities that care for six or fewer clients, a local fire official shall not impose fire safety requirements stricter than the fire safety regulations promulgated for the particular type of facility by the Office of the State Fire Marshal or the local fire safety requirements imposed on any other single family dwelling, whichever is more strict.



R-3.1 LIMITATIONS- ZONING

- **Health & Safety Code § 1566.3** (b) For the purpose of all local ordinances, a residential facility that serves six or fewer persons shall not be included within the definition of a boarding house, rooming house, institution or home for the care of minors, the aged, or the mentally infirm, foster care home, guest home, rest home, sanitarium, mental hygiene home, or other similar term which implies that the residential facility is a business run for profit or differs in any other way from a family dwelling



R-3.1 LIMITATIONS

Local Ordinances

- Not applicable to Residential Care Facilities
- Not applicable to Residential Care Facilities for the Elderly six or less except roof coverings
- Regulations may not be altered at the local level unless applicable to all R-3 occupancies; except for roof coverings for RCFE's
 - H&S § 13133 and CBC 310.2 (See SFM Int. 03-018)



2016 CBC & CFC RESIDENTIAL CARE FACILITY REQUIREMENTS (24 HOUR CARE ONLY)

2016 CBC & CFC Residential Care Facility Requirements (24 hour care only)

Occupancy	Construction	Smoke Barrier	Sprinkler System	Smoke Alarms	Fire Alarm System	Number of Exits	Rated Corridors	Exit Enclosure	Delayed Egress	Bed-ridden	Exit Signs	Tactile Exit Signs	Emergency Lights	Fire Extinguishers	Change of Elevation
R-2.1 Supervised care 24 hour basis May contain more than 6 Non-Amb's or Bed-Ridden	Rated CBC - 435.4.1 & CBC Table 506.2 H & S Code 13131.5	Yes If > than 6,000 sq. feet CBC 435.5.1 435.5.2	Yes CBC 903.2.8	Yes CBC 435.7.3	Manual & Auto. System CBC 907.2.9 907.2.11.2	Two CBC 435.8.2.1	Yes CBC 435.8.4.1, 435.8.4.2 and Table 1020.1 60" wide for non amb's. and 44" wide for amb's.	Yes If more than 6 Non-amb's above 1st floor CBC 435.8.6.1	Yes Must meet all reqs of CBC 1010.1.9.7	Yes CBC 310.4.1 May contain more than 6	Yes CBC 1013.1 Floor level see CBC 1013.7 Exit path marking CBC 1013.8	Yes CBC 1013.4	Yes CBC 1008.3	Yes Title 19 Article 5	Yes CBC 1003.5
R-4 More than 6 less than 16 maximum 6 non-am or bed-ridden clients	Non-Rated CBC Table 506.2 Exceptions 435.3.3 and 435.3.4	Yes If > than 6,000 sq. feet CBC 435.5.1 435.5.2	Yes CBC 903.2.8.3	Yes CBC 435.7.3	Manual & Auto. System CBC 907.2.10 and 907.2.11.2	Two CBC 435.8.2.1	Yes CBC 435.8.4.1, 435.8.4.2 and Table 1020.1 60" wide for non amb's. and 44" wide for amb's.	Yes If more than 6 Non-amb's above 1st floor CBC 435.8.6.1	Yes Must meet all reqs of CBC 1010.1.9.7	Yes CBC 310.6 Max 6	Yes CBC 1013.1 Floor level see CBC 1013.7 Exit path marking CBC 1013.8	Yes CBC 1013.4	Yes CBC 1008.3	Yes Title 19 Article 5	Yes CBC 1003.5
R-3.1 6 or less clients	Non-Rated CBC Table 506.2 See special considerations of CBC 435.3.4	No	If buildt after 2010 See special considerations of CBC 435.8.3.3	Yes CBC 907.2.11.2	No CBC 907.5.2.3.4 Strobes required in protective social care facilities housing any deaf person	Two CBC 425.8.2.1 See exiting provisions of CBC 435.8.3.2 & 435.8.3.3 for exiting from client sleeping rooms.	No	No See floor separation provisions in CBC 435.8.7 & 435.8.7.1	Yes Must meet all req. of CBC 1010.1.9.7	Yes Hospice can have up to six. Others can have 1 if non-sprinklered and 6 if sprinklered. See provisions of CBC 435.8.3.3	No CBC 1013.1	No	No CBC 1008.3 exception #3	Yes Title 19 Article 5	No Unless housing non-amb's or bedridden CBC 435.8.5

HIGH-RISE STRUCTURES



HIGH-RISE STRUCTURES

Health & Safety Code, §13210

- "High-rise structure" means every building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet above the lowest floor level having building access except buildings used as hospitals, as defined in Section 1250.



INSTITUTIONAL GROUP I-2 HOSPITALS (HIGH RISE)

Hospitals are required to comply most provisions contained in California Building Code 403 for high-rise buildings, however, hospitals are not part of the defined high-rise and are exempt from other statutory mandates.



HIGH-RISE STRUCTURES

Health & Safety Code, §13210

- "Existing high-rise structure" means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
- "New high-rise structure" means a high-rise structure, the construction of which is commenced on or after July 1, 1974.



RESPONSIBILITY TO INSPECT

- Health & Safety Code, §13214
- To enter and inspect them at the time and for the purpose stated in this section (reasonable hour).
 - SFM
 - Fire Chief



INSPECTION FREQUENCY

Are High-rise structure listed as one of the required state mandated annual inspections?

YES

Health & Safety Code §13217 The fire department may annually inspect

- the results of the inspection shall be submitted to the State Fire Marshal within 30 days



ABILITY TO MODIFY REGULATIONS LOCALLY

Can Local government adopt more restrictive regulations than those adopted by the SFM for High-rise structure ?

YES

Health & Safety Code, §13216 Local government may impose greater restrictions with respect to high-rise structures relating to fire or panic safety



ABILITY TO CHARGE AN INSPECTION FEE

Can local Government charge a fee for inspections conducted in High-rise structure ?

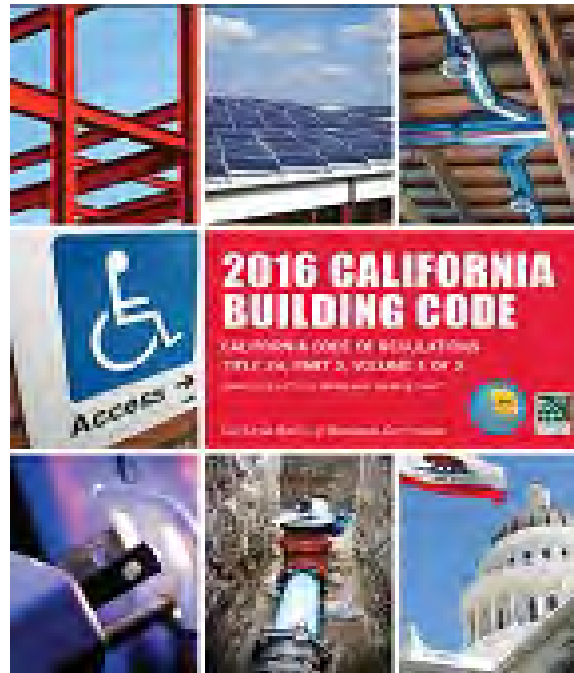
YES

Health & Safety Code, §13217 (b) Sufficient to pay its costs of that inspection.



CALIFORNIA CODE OF REGULATIONS TITLE 24 PART 2 CA BUILDING CODE

Based on the 2015 International Building Code.



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 2 CA BUILDING CODE

- Chapter 3 – Use and Occupancy Classification
- Chapter 4 – Detailed Requirements Based On Use & Occupancy
- Chapter 5 – General Building Height & Area
- Chapter 6 Types of Construction
- Chapter 7 – Fire & Smoke Protection Features
- Chapter 7A – Materials & Construction Methods for Exterior Wildfire Exposure



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 2 CA BUILDING CODE

- Chapter 8 – Interior Finishes
- Chapter 9 – Fire Protection Systems
- Chapter 10 – Means of Egress
- Chapter 11A - Housing Accessibility
- Chapter 11B - Accessibility to Public Buildings
- Chapter 12 – Interior Environment
- Chapter 15 – Roofing & Roof Structures



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 2 CA BUILDING CODE

- Chapter 21 – Masonry
- Chapter 30 – Elevators
- Chapter 31 – Special Construction (Tents)
- Chapter 34 – Existing Structures (Not all provisions of this chapter are adopted by the SFM)
- Chapter 35 – International Building Code Standards (Lays out the standards for CBC chapters along with state amendments to these standards)



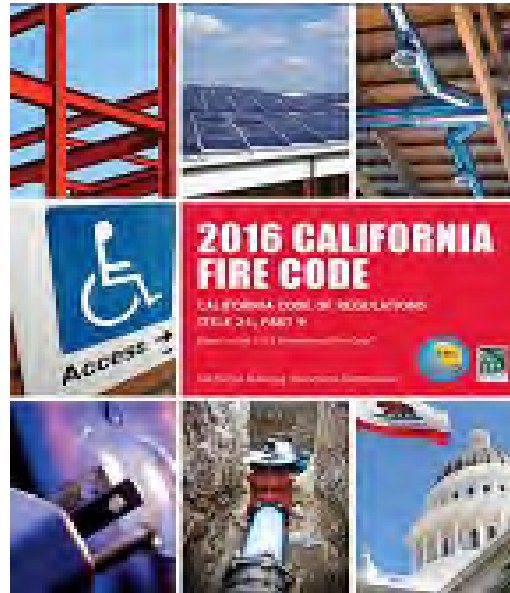
SUMMARY

- The International Building Code forms the foundation for Title 24 of the California Building Standards Code
- From this foundation, the SFM has made modifications, additions and deletions to improve fire and life safety in California



CALIFORNIA CODE OF REGULATIONS TITLE 24 PART 9 CA FIRE CODE

Based on the 2015 International Fire Code.



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 9 CA FIRE CODE

GENERAL PROVISIONS OF THE CALIFORNIA FIRE CODE:

- The State only adopts those portions of the International Fire Code that relate to building standards
- Most of the Fire Code chapters now have been adopted and/or modified by SFM



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 9 CA FIRE CODE

California has adopted all but the following CFC Chapters:

- Chapter 25 Fruit and Crop Ripening
- Chapter 26 Fumigation and Thermal Insecticidal Fogging



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 9 CA FIRE CODE

Certain provisions of California Code of Regulations (CCR), Title 19, Division 1 have been reprinted in the California Fire Code for the code user's convenience only. California Code of Regulations Title 19 is still the appropriate document/regulation for these non-building Standards.



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 9 CA FIRE CODE

CHAPTERS 1–2 ADMINISTRATION AND DEFINITIONS

- California Fire Code Chapter 1 is divided into two Divisions:
 - Division I California administrative provisions
 - Division II Model code administrative provisions (local adoption)
- Chapter 2 - Definitions and Abbreviations
- Chapters 3 - 4 General Safety Requirements



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 9 CA FIRE CODE

CHAPTERS 5–10 BUILDING AND SITE REQUIREMENTS

- The SFM makes minor modifications to Chapter 5 and has not adopted certain sections
- Chapter 6 has amendments that correlate with the CBC relating to elevator shunt trip
- Chapter 8 has been amended to correlate with CCR, Title 19 relating to interior finish, interior trim, furniture, furnishings, decorative materials and decorative vegetation in buildings
- SFM makes many modifications to Chapter 9 Fire Protection Systems and Chapter 10 Means of Egress



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 9 CA FIRE CODE

CHAPTER 11 EXISTING BUILDINGS

- The SFM only adopts certain sections of this Chapter

CHAPTER 31 TENTS

- Amended to correlate with CCR, Title 19 for tents, canopies and other membrane structures

CHAPTER 34 TIRES

- Amended to correlate with standards found in California Integrated Waste Management Board (CIWMB) CCR, Title 14, § 17350-17356 and Public Resources Code § 42820 for tire rebuilding and tire storage



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 9 CA FIRE CODE

CHAPTER 48 - MOTION PICTURE AND TELEVISION PRODUCTION STUDIO SOUND STAGES, APPROVED PRODUCTION FACILITIES, AND PRODUCTION LOCATIONS

- This SFM Chapter establishes minimum requirements that provide a reasonable degree of safety from fire, panic and explosion for production studios, sound stages, approved production facilities, and production locations used by the entertainment industry



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 9 CA FIRE CODE

CHAPTERS 50 – 67 HAZARDOUS MATERIALS

- The SFM makes very few modifications to these Chapters.

CHAPTER 80 REFERENCED STANDARDS

- This Chapter correlates with CBC Chapter 35



CALIFORNIA CODE OF REGULATIONS

TITLE 24 PART 9 CA FIRE CODE

APPENDICES

- Appendix Chapters A, D – G, I – M are not adopted by the SFM
- Appendix BB - addresses fire flow requirements for public school buildings only
- Appendix CC - addresses fire hydrant locations and distribution for public school buildings only
- Appendix H - Hazardous materials management plans and hazardous materials inventory statements



With all the Regulations in the world
you still can't stop just plain stupid



Statutes & Regulation

Training Program

Training Agenda



INTRODUCTION

LAWS & REGULATIONS

HOT TOPICS

TITLE 24

TITLE 19

- ***WAKE UP***
- ***Driving under the influence viewing of video available on UCOP CPI web site.***

CCR TITLE 19

- To acquaint you with the organization of Title 19 California Code of Regulations



TITLE 19 PUBLIC SAFETY

- Title 19 was organized in 1953
- Title 19 is mandated, in part, by § 13108 and 13143 of the Health & Safety Code
- Title 19 is one of 28 California Code of Regulations



TITLE 19 PUBLIC SAFETY

- Other California Code of Regulations include as an example:
 - Title 5 Education Code
 - Title 8 Occupational Safety and Health
 - Title 13 Motor Vehicle Code
 - Title 14 Natural Resources Code
 - Title 17 Public Health Code
 - Title 22 Social Services Code



TITLE 19 PUBLIC SAFETY

- Title 19 Organization
 - Division 1 – State Fire Marshal
 - Division 2 – Office of Emergency Services
 - Division 3 – Seismic Safety



TITLE 19 PUBLIC SAFETY

- Title 19 contains non-building standards and State Fire Marshal's program specific regulations.
 - 1989 SFM transferred all building requirements to CBSC



Title 19 HIEARCHY

- Division
 - Chapter
 - Subchapter
 - Article
 - Section
 - » §-Sub-Section



TITLE 19

- Title 19. Public Safety
 - Division 1. State Fire Marshal
 - Chapter 1. General Fire and Panic Safety Standards
 - Subchapter 1. Administration
- Article 1. Basic Operational Requirements
 - § 1.00. Title.



TITLE 19 CHAPTER 1 ARTICLE 1

BASIC OPERATIONAL REQUIREMENTS

§ 1.03. Scope.

In accordance with Section 13108 of the Health and Safety Code, these regulations shall govern the design, construction, and use of State Fire Marshal regulated occupancies.

Exception:

Federal Government, homes and institutions and day care facilities for 6 or fewer ambulatory children.



TITLE 19 CHAPTER 1 ARTICLE 1

§ 1.07. Local Ordinances.

- **No local ordinance, rule or regulation shall be applicable to any of the following:**
 - (a) **Public Schools**
 - (b) **State-owned and state-occupied buildings and state institutions**
 - (c) **Community care facilities**
 - (d) **Organized Camps**



TITLE 19 CHAPTER 1 ARTICLE 1

§ 1.09.1. Order of Precedence

- In the event of any differences between these regulations and the standard reference documents (NFPA) or standard fire prevention practices, the text of these regulations shall govern.
- Where a specific provision varies from a general provision, the specific provision shall apply.



TITLE 19 CHAPTER 1 ARTICLE 1

§ 1.11. Enforcement of Regulations

- Authorizes the inspection authority to exercise good judgments in authorizing sufficient time to complete the required changes (deficiencies).
- The inspection authority may require immediate compliance.



- ***The Chase
viewing of video
available on
UCOP CPI
web site.***



TITLE 19 CHAPTER 1 ARTICLE 1

§ 1.14. Maintenance

- Every fire alarm system or device, sprinkler system, fire extinguisher, fire hose, fire resistive assembly or any other fire safety assembly, device, material or equipment installed and retained in service in any building or structure subject to these regulations shall be maintained in an **operable condition at all times** in accordance with these regulations and with their intended use.



TITLE 19 CHAPTER 1 ARTICLE 1

§ 1.14. Maintenance



TITLE 19 CHAPTER 1 ARTICLE 1

§ 1.14. Maintenance



TITLE 19 CHAPTER 1 ARTICLE 1

§ 1.14. Maintenance



TITLE 19 CHAPTER 1 ARTICLE 2

§ 2.05 Code Interpretations

Any person may request a code interpretation from the State Fire Marshal relative to the intent of any regulation or provision adopted by the State Fire Marshal.

<http://osfm.fire.ca.gov/codeinterpretation/codeinterpretation>



TITLE 19 CHAPTER 1 ARTICLE 2

§ 2.05 Code Interpretations

When the request relates to a specific project, occupancy or building, the State Fire Marshal shall review the issue with the appropriate local enforcing agency prior to rendering such code interpretation.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.05 Fire Department Access and Egress

(a) **Roads.** Required access roads from every building to a public street shall be all-weather hard-surfaced (suitable for use by fire apparatus) right-of-way not less than 20 feet in width.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.05 Fire Department Access and Egress



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.05 Fire Department Access and Egress

(b) **Roofs.** No person shall install or maintain any security barrier such as barbed wire fencing, razor wire fencing, chain link fencing, or any other fencing material, cable, aerial, antenna, or other obstruction on the roof of any commercial establishment in such a manner as to obstruct or render egress or access hazardous in the event of fire or other emergency.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.05 Fire Department Access and Egress



TITLE 19 CHAPTER 1 ARTICLE 3

- **§ 3.06. Bonding of Chairs & Spacing of Tables**

(a) Bonding of Chairs. In every Group A and Group E Occupancy, all loose seats, folding chairs, or similar seating facilities that are not fixed to the floor shall be bonded together in groups of not less than 3.

- Exceptions:

- Less than 200



TITLE 19 CHAPTER 1 ARTICLE 3

- § 3.06. Bonding of Chairs & Spacing of Tables



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.08. Decorative Materials

In every Group A, E, I, R Occupancies all drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, that would tend to increase the fire and panic hazard shall be made from a nonflammable material, or shall be treated and maintained in a flame-retardant condition.

Exceptions:

- (a) Cubical curtains and individual patient room window curtains and drapes in Group I, R-2.1, R-3.1 and R-4 Occupancies.
- (b) Window curtains and drapes within dwelling units of Group R-1 and R-2 Occupancies.
- (c) Christmas trees within dwelling units of Group R-1 and R-2 Occupancies.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.08. Decorative Materials



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.08. Decorative Materials

Exits, exit lights, fire alarm sending stations, wet standpipe hose cabinets, and fire extinguisher locations shall not be concealed, in whole or in part, by any decorative material.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.08. Decorative Materials



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.08. Decorative Materials



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.08. Decorative Materials



Before



After

TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.08. Decorative Materials



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.09. Emergency Planning & Information

- (a) All office buildings 2 or more stories in height



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.10. Evacuation of Buildings

- Upon notification of fire, conduct of any fire drill, upon activation of the fire alarm, or upon orders of the fire authority having jurisdiction, buildings or structures within the scope of these regulations shall be immediately evacuated or occupants shall be relocated in accordance with established plans.



TITLE 19 CHAPTER 1 ARTICLE 3

- ***The Office -
evacuation***
- ***Viewing of video
available on
UCOP CPI
web site.***



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways

- (a) No person shall install, place or permit the installation or placement of any bed, chair, equipment, concession, turnstile, ticket office or anything whatsoever, in any manner which would block or obstruct the required width of any exit.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways



TITLE 19 CHAPTER 1 ARTICLE 3



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways

- (c) No person shall install, place or permit the installation or placement of any storage material of any kind in any exit regardless of the required width of such exit.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways

d) Aisles shall not be occupied by any person for whom seating is not available.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.11. Exits, Aisles, Ramps, Corridors & Passageways



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.13. Fire Drills

(a) Group E Occupancies.

Every person and public officer managing, controlling, or in charge of any public, private, or parochial school, other than a two-year community college, shall cause the fire alarm signal to be sounded not less than once every calendar month at the elementary and intermediate levels, and not less than twice yearly at the secondary level.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.13. Fire Drills



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.13 Fire Drills – Group E Occupancies

- ***School evacuation***
- ***Viewing of video available on UCOP CPI web site.***



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.13. Fire Drills

(a) (2) Emergency Pre-Fire Planning. Each school principal, district superintendent or day nursery manager shall, in cooperation with the enforcing agency, prepare procedures to be followed in case of fire or other emergency.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.14. Fire Hazard

- No person, including but not limited to the State and its political subdivisions, operating any occupancy subject to these regulations shall permit any fire hazard, as defined in this article, to exist on premises under their control, or fail to take immediate action to abate a fire hazard when requested to do so by the enforcing agency.





TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.14 Fire Hazard



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.14 Fire Hazard



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.24 Maintenance of Equipment

All fire alarm systems, fire detection systems, automatic sprinkler or extinguishing systems, communication systems, and all other equipment, material or systems required by these regulations shall be maintained in an operable condition at all times. Upon disruption or diminishment of the fire protective qualities of such equipment, material or systems, **immediate action** shall be instituted to effect a reestablishment of such equipment material or systems to their original normal and operational condition.



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.24 Maintenance of Equipment



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.24 Maintenance of Equipment



TITLE 19 CHAPTER 1 ARTICLE 3

§ 3.24 Maintenance of Equipment



TITLE 19 CHAPTER 1 ARTICLE 4

SECURITY BARS: WARNING INFORMATION & LABELING

§ 4.3.Warning Information

The devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort Health & Safety § 13113.9



TITLE 19 CHAPTER 1 ARTICLE 4

- *It's Who you Know*
- *House Fire*
- *Viewing of video available on UCOP CPI web site.*



TITLE 19 CHAPTER 1.5 ARTICLE 1

- Specific State Fire Marshal Program Requirements in Title 19
 - Construction Material and Equipment Listings *may* list their product
 - Sprinkler Systems
 - Laboratory Accreditation
- Items requiring State Fire Marshal Labeling & Listing
 - Fire Alarm Systems and Components
 - Carbon Monoxide Detectors
 - Wood Roof Shingles



TITLE 19 CHAPTER 1.5 ARTICLE 1

- **13114 (1) (b)** No person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.
- **13263 (a) (1)** The State Fire Marshal shall develop a certification and decertification process to approve and list carbon monoxide devices and to disapprove and delist previously approved devices, if necessary.



TITLE 19 CHAPTER 1.5 ARTICLE 1

- **13114 (2) (A)** Commencing January 1, 2014, in order to be approved and listed by the State Fire Marshal, a smoke alarm shall display the date of manufacture on the device, provide a place on the device where the date of installation can be written, incorporate a hush feature, incorporate an end-of-life feature that provides notice that the device needs to be replaced, and, if battery operated, contain a non-replaceable, non-removable battery that is capable of powering the smoke alarm for a minimum of 10 years.



TITLE 19 PUBLIC SAFETY

Chapter 2 – Tents, Awnings & other Fabric Enclosures

- Specific Tent Requirements
- Flame Resistance
- SFM Approved Labeling
- Existing Tents



TITLE 19 CHAPTER 2 ARTICLE 1

303 Scope

(a) Applies to the sale, offering for sale, manufacture for sale, rental and use of tents within this state.

(b) For building standards relating to tents and membrane structures, see California Fire Code, Chapter 24.



TITLE 19 CHAPTER 2 ARTICLE 2

310 Definitions

- (a) Tent. A shelter, structure or enclosure made of fabric or similar pliable material.
- (b) Large Tent. A tent designed for use by 10 or more people.
- (c) Small Tent. A tent designed for use by less than 10 people.



TITLE 19 CHAPTER 2 ARTICLE 3

312 Parking of Vehicles

315 Flame Resistance Standards

316 Smoking Prohibited

317 Fireworks and Open Flames

319 Fire Extinguishers and Other Fire Protection Equipment

320 Fire Safety Personnel

321 Abatement of Fire or Panic Hazards

324 Flammable & Combustible Liquids

325 Liquefied Petroleum Gas

326 Hazard Abatement

332 Flame Resistance

335 Labeling of Tent

340 Existing Small Tents

341. Existing Membrane Structures and Other (Large) Existing Tents



TITLE 19 CHAPTER 2 ARTICLE 3

Flame Resistant Requirements for Canopies/Tents

http://osfm.fire.ca.gov/codeinterpretation/pdf/2011/11_019.pdf





California State Fire Marshal
CODE INTERPRETATION

Date Issued	12/19/11	Interpretation	11-019
Topic	Flame Resistant Requirements for Canopies / Tents		
Code Section(s)	Title 19, California Code of Regulations, Section 310(a) 2010 California Fire Code, Chapter 24, Section 2402.1		
Requested by	Jill Femister, International E-Z UP Inc. 1601 Iowa Avenue Riverside, California 92507 Phone: (951) 779-2329 jillfemister@ezup.com		

1. **Are all canopies that are used in a place of assemblage required to be flame resistant, whether or not they are required to have a permit from the local authority?**

Yes, regardless of the requirement for a permit, canopies would meet the definition of a tent and therefore required to be flame retardant in accordance with California Code of Regulations, Title 19, Section 310. This section was written to comply with Health and Safety Code Section 13115 for the required use and are made from a nonflammable material or are treated and maintained in a flame retardant condition in public assembly's of 10 or more persons.

2. **If all canopies, whether or not they are required to obtain a permit from the local authority, are required to be flame resistant, should the flame resistant requirements be per California Code of Regulations Title 19?**

Yes, canopies used for assembly purposes of 10 or more persons must be of nonflammable material or must be treated and maintained in a flame-retardant condition in accordance with California Code of Regulations, Title 19, Chapter 8. For small tents of less than 10 persons, CPAI-84 is an acceptable test method (California Code of Regulations, Title 19, Section 332).

3. **If California Code of Regulations Title 19 is the applicable standard for canopies, what is the definition of a "Large" canopy and a "Small" canopy?**

California Code of Regulations, Title 19 does not specifically define small or large canopies. However, Health and Safety Code 13115(a) specifies that tents, awnings or other fabric enclosures used for assemblage of 10 or more persons must be made from a nonflammable material or treated and maintained in a flame retardant condition. Fabric enclosures would include canopies with a fabric covering. Health and Safety Code Section 13115 (b) is specific only to "tents" occupied by less than 10 persons.

4. **Would we be correct in saying that the determination of whether a tent (canopy) is considered "large" or "small" is dependant upon the number of people who have assembled under the tent (canopy) at that time?**

Yes (Health and Safety Code Section 13115)

5. **Would it be correct to say that as long as the occupancy under the tent (canopy) is maintained at less than 10 persons, the tent (canopy) will be considered a "small" tent (canopy).**

Yes.

Note: California Code of Regulations, Title 19 Articles 2 and 3 defines tents based upon occupant load, not use. Since California Code of Regulations, Title 19 is silent regarding use, the California Building Code 2010 edition, Section 1004 Table 1004.1.1 should be utilized to calculate the occupant load, based upon use. This table gives a maximum square footage for each person for a particular occupancy. It is NOT within the purview of the State Fire Marshal to mandate the occupant load of a particular tent, but rather, it is a requirement of the manufacture to set the occupant load and label it accordingly. State Fire Marshal regulations mandate the labeling requirements based upon the manufactures stated occupant load.

If the manufacturer chooses to only use the CPAI-84 label then the tent is limited to less than 10 people as the CPAI-84 label, by definition, specifies the occupancy load for a tent. It is up to the authority having jurisdiction (AHJ) or Fire Code Official as far as the enforcement of the occupant loading based upon the label.

TITLE 19 CHAPTER 3 Fire Extinguishers

Article 4 Classifications & Ratings

Subsection 562

Article 5 Selection & Distribution

Table 2 & 3

Article 6 Inspection, Maintenance & Recharging

Table 4



TITLE 19 CHAPTER 3

Fire Extinguishers

Article 7 Hydrostatic Testing

Table 5

Article 8 Licensing & Certificates of Registration

Article 9 Tagging, Marking, Labeling & Seal of Registration



CHAPTER 3 – FIRE EXTINGUISHERS

ARTICLE 8 LICENSING & CERTIFICATION


- Type A. A class of license to service any or all types of fire extinguishers.
- Type B. perform maintenance and recharging of water based fire extinguishers, external maintenance of carbon dioxide.
- Type C. conduct hydrostatic tests of low pressure fire extinguisher non-DOT cylinders.
- Type D. perform maintenance and recharging of dry chemical, dry powder and external maintenance of halogenated agent fire extinguishers.
- Type E. conduct hydrostatic tests of high pressure DOT fire extinguisher cylinders, and perform internal maintenance and recharging of carbon dioxide fire extinguishers.
- Type F. perform internal maintenance, recharge and recover halogenated agents from portable fire extinguishers.



CHAPTER 3 – FIRE EXTINGUISHERS

ARTICLE 8 LICENSING & CERTIFICATION

- Type L. (Limited). A class of license, limited to public or private entities that are not engaged in the business of servicing fire extinguishers and which only maintain their own portable fire extinguishers. A Type L licensee may only perform maintenance of stored pressure dry powder and dry chemical fire extinguishers, water type and wet chemical type fire extinguishers and external annual maintenance of halogenated agent and carbon dioxide fire extinguishers.



California State Fire Marshal
Information Bulletin

December 2, 2009

**NEW LICENSE CLASSIFICATION FOR AUTOMATIC EXTINGUISHING SYSTEMS
MAINTENANCE AND TESTING**

The purpose of this information Bulletin is to inform stakeholders that the Office of the State Fire Marshal (SFM) has established a new Limited License category (Type L) for the Automatic Extinguishing Program. This Type L License allows the building owner or lessee who has trained and experienced employees to conduct inspection, annual testing, and maintenance of wet pipe sprinkler systems, standpipe systems or private fire service mains in structures or properties they own or lease. It should be noted that this license does not include five-year certification.

In addition, individuals who possess the newly established SFM Weekly Fire Pump Test Certificate in accordance with Title 19, California Code of Regulations, Section 905, *and* are employed by a Type L licensed company may perform weekly fire pump tests. These regulations will become effective December 7, 2009.


All the information on the State Fire Marshal's Automatic Extinguishing System Program is located on our website listed below. There you will find information regarding:

- Application for the Type L license
- Application for Weekly Fire Pump Test Certification
- Local Authority Endorsement
- Type L License Checklist
- Laws and Regulation
- Frequently Asked Questions (FAQ) for NFPA 25 California edition

http://osfm.fire.ca.gov/strucfireengineer/strucfireengineer_aes.php

If you have any other questions or concerns regarding the SFM Automatic Extinguishing Systems Program and the new Type L License, please contact Supervising Deputy James Parsegian at: james.parsegian@fire.ca.gov

For more information please visit our website <http://osfm.fire.ca.gov>





**HOSTED AT
NOTHINGTOXIC.COM**



TITLE 19 – PUBLIC SAFETY

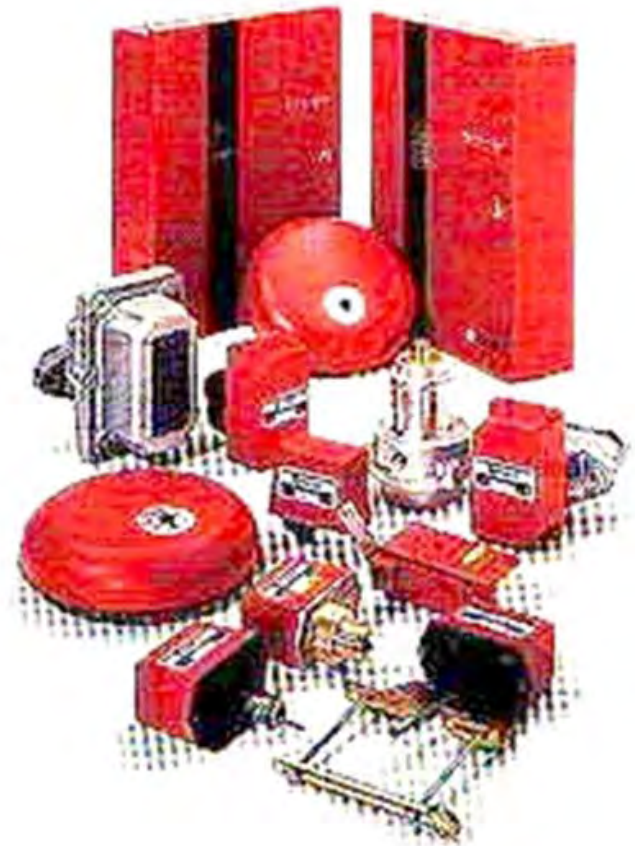
- Chapter 4 – Fire Alarm Systems & Devices
 - Listing No person shall market, distribute, offer for sale, or sell any fire alarm system, or fire alarm device unless such system or device has been previously approved and listed by the State Fire Marshal.



CHAPTER 4 – FIRE ALARM SYSTEMS & DEVICES

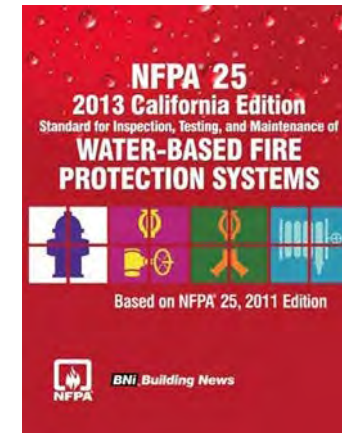
- Installation
- Detailed Requirements
- Special Information

Refer to Title 24 part 9
(CFC), Part 3 (CEC) &
NFPA 72



CHAPTER 5 – AUTOMATIC FIRE EXTINGUISHING SYSTEMS

- Article 1 Administration adopts and amends into NFPA 25
- Article 4 Inspection Testing & Maintenance Frequency
 - Refer to Table 5.1 – Table 12.1
 - Sprinkler Systems, Standpipe, Water Storage, Water Spray Fixed Systems, & Foam Systems and Values
- Article 3 General Provisions
 - Reports of violation
 - Deceptive Practices
 - Employer Responsibility



CHAPTER 5 – AUTOMATIC FIRE EXTINGUISHING SYSTEMS

ARTICLE 5 LICENSING

Health & Safety Code §13196.5, no person shall engage in the business of servicing automatic fire extinguishing systems without a valid “A” license issued by the Office of the State Fire Marshal or a C-16 Fire Protection license as issued by the State of California Contractors State Licensing Board.

***EXCEPTION:** Annual testing or maintenance of wet pipe sprinkler systems, standpipe systems or private fire service mains may be performed by a California State Fire Marshal Licensed A (Type L) Concern, in structures or property owned or leased by that public or private entity. In addition, individuals who possess a California State Fire Marshal Weekly Fire Pump Test Certificate in accordance with this section and are employed by a Licensed A (Type L) Concern may perform weekly fire pump tests.*



AUTOMATIC EXTINGUISHING SYSTEM LICENSE

Licenses shall be for the service of any one or combination of the following:

- Type 1—Water Based Fire Protection Systems
- Type 2--Engineered and Pre-engineered Fixed Extinguishing System
- **Type L--Limited to public or private entities that are not engaged in the business of performing testing and maintenance of wet pipe fire-extinguishing systems and which only perform annual testing and maintenance of wet pipe sprinkler systems, standpipe systems, private fire service mains, and weekly fire pump tests in structures or property owned or leased by that public or private entity**



ARTICLE 6 LABELS, TAGS & FORMS

- Subsection 906 General Labeling Requirements – Water Based.
- The label shall be placed:
 - (1) On the fire department connection or on the riser for Class I, III, and combined standpipes and on the hose outlet closest to the front door for Class II standpipes,
 - (2) On or adjacent to the fire department connection or on the riser for fire sprinkler systems.



ARTICLE 6 LABELS, TAGS & FORMS

- 906.2. Engineered and Pre-Engineered Fixed System Service Tags.
 - (a) The tags shall be of the hanging type with the option of a self-adhesive type. Tags shall be placed on the agent supply tank enclosure or manual pull device for pre-engineered and engineered fixed systems.
- 906.3. Approved State Fire Marshal Forms



SPRINKLER FITTER'S CERTIFICATION

There are three new Certifications/Registration Cards in Automatic Extinguishing System Program

- **Certified Sprinkler Fitter**
This certification allows the individual to install water based fire suppression systems and to supervise apprentices and trainees.
- **Apprentice Sprinkler Fitter**
This allows an individual to install water based fire suppression systems under the direct supervision of a Certified Sprinkler Fitter, while enrolled in a Fire Sprinkler Apprenticeship Program.
- **Sprinkler Fitter Trainee**
This allows an individual, not enrolled in an apprenticeship program, to install water based fire suppression systems under the direct supervision of a Certified Sprinkler Fitter. This is a one year registration.



SPRINKLER FITTER'S CERTIFICATION

TIMELINE



2017

July 1, 2017

Regulations are effective.
No certification card required until July 1, 2018.

2018

December 31, 2017

Deadline to become certified without taking an exam.

July 1, 2018

At least one certified sprinkler fitter on each job site.

2019

January 1, 2019

All fitters on job sites certified.
All trainees and apprentices on job sites registered.



TITLE 19 – PUBLIC SAFETY

Chapter 6 Fireworks

- Licenses, Permits & investigations
 - Classification & Labeling
 - Transportation & Storage
 - Safety & Public Display
 - Special Effects & Rockets
- ***Fireworks***
 - ***Viewing of video available on UCOP CPI web site.***



CHAPTER 6 FIREWORKS

- Article 3. Licenses

No person shall engage in any type of fireworks activities without having submitted an application for and having obtained a license from the State Fire Marshal

Exception: unlicensed assistants



ARTICLE 5. QUALIFICATION – EXAMINATION & INVESTIGATION

984 (a) Every applicant for a Pyrotechnic Operator license shall

- take & pass a written examination
- Submit evidence attesting to the experience required. Experience shall be actual discharge of fireworks & pyrotechnic devices for the types indicated



ARTICLE 5. QUALIFICATION – EXAMINATION & INVESTIGATION

984 (1) Pyrotechnic Operators - Unrestricted shall require a minimum amount of experience as indicated for type of licenses:

- Pyrotechnic Operator – Basic Commercial 2 years
- Pyrotechnic Operator – Rockets First Class 2 years
- Pyrotechnic Operator – Special Effects First Class 2 years



ARTICLE 8. STORAGE

- Subsection 989 General: All magazines shall meet the requirements as set forth in the Code of Federal Regulations, Title 27, Part 55, Subpart K (Storage).
- Subsection 989.1(b) Class C Common Fireworks and those devices designated as “safe and sane” fireworks shall be stored in a manner consistent with the Code of Federal Regulations, Title 49, Section 173.88.



ARTICLE 9. SHIPPING & TRANSPORTATION

- Only fireworks and pyrotechnic devices classified by and bearing the Seal of Registration of the State Fire Marshal shall be transported within this state.
- All fireworks and pyrotechnic devices being transported in this state,, shall be packaged and transported in accordance with the CFR, Title 49, Part 173, Subpart C, or with Health and Safety Code Sections 12650-12654.



ARTICLE 13. GENERAL SAFETY REQUIREMENTS

- 991 Safety Inspections
 - Retail fireworks stands and sales areas are subject to inspection by the authority having jurisdiction
- 991.1 Disposition Unsold Stock
- 991.2 Personnel
- 991.3 Smoking, Storage & Handling Facilities
- 991.4 Smoking Sales Facilities
- 991.5 Prohibited Substances



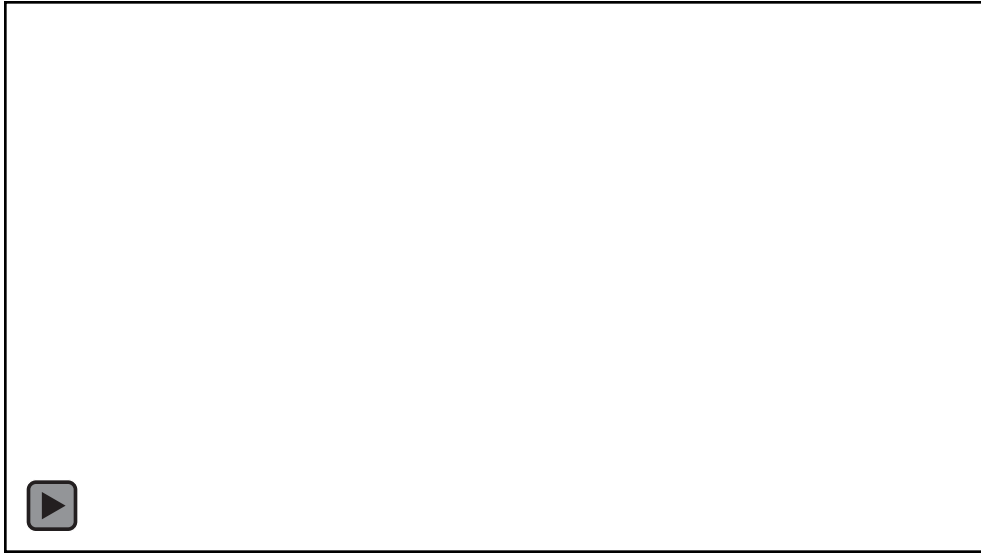
MOTION PICTURE & ENTERTAINMENT SAFETY PROGRAM

- Permit all pyrotechnic activity on state property
- Assess and review qualifications for pyrotechnic operators license
- Education and training to the industry and fire service on motion picture and theatrical activity
- Participate in special investigations involving pyrotechnic in the motion picture industry
- Liaison between the fire service and the motion picture industry



HIGH POWER EXPERIMENTAL MODEL ROCKETS

- **Article 16:**
Experimental
Rockets/Unlimited
- **Article 17:** Model
Rockets
- **Article 18:**
Experimental High
Power Rockets and
Motors



BASIC COMMERCIAL ARIAL – PUBLIC DISPLAY HEALTH & SAFETY CODE 12524

- “Public display of fireworks” means an entertainment feature where the public or a private group is admitted or permitted to view the display or discharge of dangerous fireworks



DANGEROUS FIREWORKS HEALTH & SAFETY CODE 12505



- Fireworks that contain arsenic sulfide or [arsenates](#), most chlorates, magnesium, most phosphorous, zirconium, or many other chemicals
- Firecrackers, skyrockets, rockets, and sparklers larger than ten inches in length or one-quarter inch in diameter

Any other fireworks that the [State Fire Marshal](#) has declared "unsafe for use by any person not specifically qualified or trained in the use of fireworks"¹⁰



Mortar Shells



Roman Candles



Sky Rockets



- ***Garden
Firecracker
shooting***
- ***Viewing of video
available on
UCOP CPI
web site.***

SAFE & SANE FIREWORKS HEALTH & SAFETY CODE 12529

- “Safe and Sane fireworks” means any fireworks which do not come within the definition of “dangerous fireworks” or “exempt fireworks”



PARTY POPPERS

- “Party Poppers” also known by other names are a pyrotechnic device which contains less than 0.25 grain of pyrotechnic composition per unit load
- Designed to be held in the hand and when fired propels soft paper, cloth inserts or other similar fill material into the air



SNAP CAPS

- Snap Caps, also known by other names are pyrotechnic devices that contain between .20 grams and .25 grams, of gravel impregnated with not more than one milligram of pyrotechnic composition. They are small, roughly spherical paper parcel, 1/4 inch in diameter with a twisted paper tail.
- When dropped against a hard surface, produces a small, toy cap-like report.



AGRICULTURAL FIREWORKS HEALTH & SAFETY CODE 12503

- "Agricultural and wildlife fireworks" means fireworks designed and intended by the manufacturer to be used to prevent damage to crops or unwanted occupancy of areas by animals or birds through the employment of sound or light, or both



THEATRICAL

- ***Close Proximity Pyrotechnics***
- ***Viewing of video available on UCOP CPI web site.***



CHAPTER 6.5. FLAMETHROWING DEVICES

- Article 2. Definitions
 - Flame throwing device means any non-stationary and transportable device designed or intended to emit or propel a burning stream of combustible or flammable liquid a distance of at least 10 feet.
 - Health & Safety Code §12750(a)
 - ***Fire throwing device***
 - ***Viewing of video available on UCOP CPI web site.***



CHAPTER 6.5. FLAMETHROWING DEVICES

- Article 4. Inspections

1060. General (b) All flame throwing devices, storage areas and transportation vehicles shall be subject to inspection by any peace officer or other persons designated by the State Fire Marshal



CHAPTER 6.5. FLAMETHROWING DEVICES

- Article 7. Storage and Transportation Requirements for Flame throwing Devices

1064. Storage (a)(2) In appropriate magazines or facilities which are permitted by the authority having jurisdiction for the storage of fireworks or explosives, provided that no fire nuisance or incompatibility is created by such storage.



Chapter 7 Flammable Fabrics Standards

- Article 1 Fabric Flammability
Chemical Treatment
- Article 2 Hospital Fabrics
- Article 3 Acceptance Criteria



Chapter 8 Flame Retardant Chemicals

- Article 3 Registration & Labeling of Chemicals
 - Any company may register their Chemical with SFM
 - Container shall bear the SFM Seal of Registration Chemicals
- Article 4 Registration of Fabric or Material
- Article 5 Applications
- Article 9 Seal of Registration
- Article 10 Testing Laboratories
- Article 11 Violations & Penalties



Chapter 10 Explosives

- Article 2 Sale, Use, Handling, Possession, & Storage of Explosives
- Article 5 Storage within Magazines
- Article 6 General Explosives
- Article 10 Blasting Agents
- Article 14 & 15 Construction of Magazines



TITLE 19 – PUBLIC SAFETY

- Chapter 11.5 – Gasoline Vapor Control
 - Article 3 Application for Certification
 - Article 4 Vapor Recovery Systems
 - Article 7 Installation & Certification



TITLE 19 – PUBLIC SAFETY

- Chapter 14 – Hazardous Liquid Pipeline Safety



WHAT WE REGULATE

- Most hazardous liquid pipelines in public areas
- Offshore pipelines
- Commodities
 - Crude
 - Gasoline, diesel & jet fuel
 - Ethanol
 - CO₂
 - Anhydrous ammonia
 - Butane & Propane



- ***Trunk Monkey***
- ***Viewing of video available on UCOP CPI web site.***



FINAL EXAM



FINAL EXAM

Places of detention are required to be inspected annually for fire safety

False

Health & Safety Code (HSC) §13146.1(b) The inspections shall be made at least once every two years.



FINAL EXAM

Title 24 applies to all building occupancies throughout the State of California.

True

HSC §18938. (a) shall apply to all occupancies throughout the state...



FINAL EXAM

Matrix Adoption Tables in the Building Code (CBC) indicate which sections of the Code are to be enforced by the local fire authority

False

The matrix adoption tables, show the user which state agencies have adopted and/or amended given sections of the model code.



FINAL EXAM

Public schools must be inspected annually by the local fire department

True

HSC §13146.3. Shall inspect every building used as a public or private school within his jurisdiction, for the purpose of enforcing regulations promulgated pursuant to Section 13143, not less than once each year.



FINAL EXAM

Cities and Counties are not required to enforce Title 24

False

Cities and counties are required by state law to enforce CCR Title 24 (reference HSC Sections 17958, 17960, 18938(b), & 18948)



FINAL EXAM

The local fire authority may not apply local ordinances relating specifically to Group R-3.1 Occupancies

True

HSC § No city, county, city and county, including a charter city or charter county, or fire protection district shall adopt or enforce any ordinance or local rule or regulation relating to fire and panic safety in buildings or structures subject to this section that is inconsistent with building standards adopted by the SFM.



FINAL EXAM

Title 19, California Code of Regulations (CCR), contains building standards

False

Title 24, CCR, contains the building standards. Title 19, CCR, contains the "other regulations" or the non-building standards of the State Fire Marshal



FINAL EXAM

The State only adopts those portions
Of the International Fire Code that relate
to building standards.

A. True

B. False



FINAL EXAM

An authority having jurisdiction, such as a fire department, has the legal right to waive or modify provisions of state law

False

State law can only be modified by the state legislature



FINAL EXAM

Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions

True

§17958.7 local climatic, geological, or topographical conditions



FINAL EXAM

The requirements for fire drills in Group E occupancies are found in CCR Title 19?

True

See CCR, Title 19, Section 3.13



FINAL EXAM

The Health & Safety Code gives local fire departments the authority to enforce State Fire Marshal's regulations in cities and fire districts

True

HSC §13146 (a) shall enforce such building standards and other regulations of the State Fire Marshal in their respective areas



FINAL EXAM

Hospitals are required to comply with most provisions contained in CBC Section 403 for High-rise Buildings but are exempt from?

- A. State mandated annual inspections
- B. Regulations of high-rise buildings and structures
- C. Regulations governing buildings more than 75 feet tall
- D. New and existing high-rise regulations



KAISER PERMANENTE®



FINAL EXAM

A fee equal to, but not exceeding the actual cost of the inspection may be charged for an annual inspection of an Group R-3.1 (6 or less) facility

False

HSC §1566.2 neither the SFM nor any local public entity shall charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential facilities which serve six or fewer persons. Also, there are no requirements for an annual inspection, (must be treated as any other single-family dwelling)



FINAL EXAM

Health and safety code 13216 allow the local fire authority to apply more restrictive local regulations to which occupancy?

- A. High-Rises
- B. Residential Care Facilities
- C. Jails
- C. Public Schools



FINAL EXAM

State law allows local jurisdiction to adopt more restrictive regulations, except for:

- A. Hotels
- B. Jails
- C. Public Schools
- D. Mercantile



FINAL EXAM

The primary fire enforcing agency may conduct the final fire clearance inspection for a residential care facility at their earliest convenience

False

HSC § 13235 (b) 30 days of receipt of the request for the final inspection



FINAL EXAM

The annual inspection of high rise buildings are performed by:

- A. representatives of the OFSM in all cases
- B. the local fire authority in all cases
- C. either the SFM representative or the local fire authority, at the option of the OFSM
- D. the local fire authority if they elect to do so; if the local fire authority elects not to inspect, the SFM shall conduct the inspection



FINAL EXAM

Fire extinguisher regulations found in CCR Title 19 shall be enforced in all occupancies in California

True

HSC §13190.3 Any portable fire extinguisher that is required to be installed by a statute or ordinance shall be maintained in accordance with the regulations adopted pursuant to §13160



FINAL EXAM

When dealing with laws and regulations related to fire prevention, inspectors must remember that:

- A. regulations carry the same force and effect as law
- B. both laws and regulations are enacted by the State legislature
- C. Title 19 contains the text of statutes (laws)
- D. the State Fire Marshal cannot modify regulations relating to fire safety



FINAL EXAM

State Fire Marshal Regulated occupancies include: A, B, C, E, I and R

False

HSC §13143-13146 State Fire Marshal regulated occupancies include:

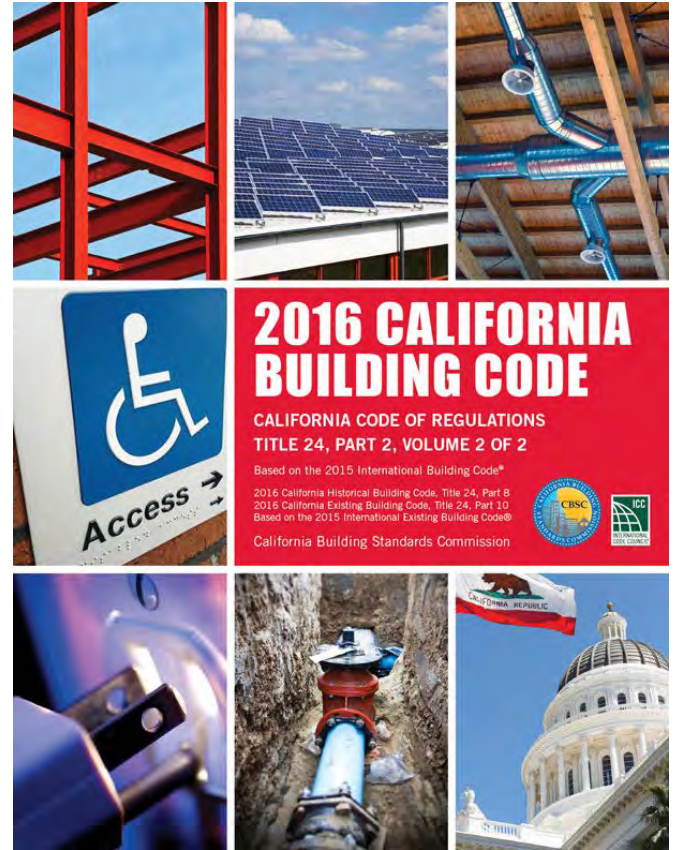
A, C, E, I, L, R, Large Family Day Cares and High-Rises



FINAL EXAM

The California Building Code applies to:

- A. All buildings
- B. Buildings housing State Fire Marshal regulated occupancies
- C. All buildings except those owned and occupied by the State
- D. Buildings housing only Group A, E and I occupancies



Course Evaluation



Questions?
Thank you!

FINAL EXAM



Success is not final, failure is not fatal: it is the courage to continue that counts.

Winston Churchill

