

NEWCASTLE FIRE PROTECTION DISTRICT  
ORDINANCE NO. 2020-01

**AN ORDINANCE AMENDING AND ADOPTING THE 2019 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (TITLE 24, CALIFORNIA CODE OF REGULATIONS) PART 9 (2019 CALIFORNIA FIRE CODE) AND APPENDICES; AND REPEALING RESOLUTION NUMBER 2017-02 AND ORDINANCE NUMBER 2017-02 IN THEIR ENTIRETY AND ANY OTHER RESOLUTIONS OR ORDINANCES IN CONFLICT HEREWITH.**

**WHEREAS**, fire protection districts are generally required to adopt the State Building Standards; and

**WHEREAS**, fire protection districts are allowed to make amendments to those state standards when justified by local topographical, climatic and geographical conditions; and

**WHEREAS**, contemporaneously herewith the Board of Directors has made such findings and directed that they be submitted to the State forthwith; and

**WHEREAS**, the International Code Council promulgates the International Fire Code, a nationally recognized compilation of rules and regulations. The International Code Council has conducted open code hearings that permit participation by National, State, and local code officials; as well as industry representatives, consultants, and other private parties with an interest in the International Fire Code; and

**WHEREAS**, the International Fire Code has been printed and published as a Code in book form within the meaning of Section 50022.1 of the Government Code of the State of California; and

**WHEREAS**, under this adopting ordinance, specific amendments to building standards are more restrictive than those contained within the 2018 Edition of the International Fire Code with amendments as adopted by the California Building Standards Commission and published as the 2019 Edition of the California Fire Code; and

**WHEREAS**, under the provisions of Section 18941.5 of the Health and Safety Code, local amendments are based on climatic, topographical and geological conditions; and

**WHEREAS**, the findings of fact contained herein address each of these situations and present the local conditions, which, either singularly or in combination, cause the aforementioned amendments to be adopted; and

**WHEREAS**, it is clearly understood that the adoption of such amendments may not prevent the incidence of fire, the implementation of these various amendments to the Fire Code is intended to reduce the potential loss of life and property and damage to the environment caused thereby.

**THE BOARD OF DIRECTORS OF THE NEWCASTLE FIRE PROTECTION DISTRICT  
ORDAINS AS FOLLOWS:**

**Part 1: FINDINGS OF FACT:**

**Part 2: ADOPTION OF CODE WITH EXCLUSIONS:**

**Part 3: LOCAL AMENDMENTS:**

**Part 4: REPEAL OF PRIOR ORDINANCE:**

**Part 5: INTERNATIONAL FIRE CODE ADOPTED BY REFERENCE:**

**Part 6: SEVERABILITY**

**Part 7: EFFECTIVE DATE AND PUBLICATION:**

**PART 1. FINDINGS OF FACT:**

The Newcastle Fire Protection District (NFPD) makes certain modifications (listed below) to the 2019 California Fire Code pursuant to Health and Safety Code Sections 13869, 13869.7 and 18941.5. Such changes are reasonably necessary because of local climatic, geological and/or topographical conditions. The Newcastle Fire Protection District Board hereby adopts, pursuant to Section 18941.5 of the California Health and Safety Code, the following findings of facts relative to these conditions by Resolution #2020-01 of the Newcastle Fire Protection District dated February 19, 2020.

**PART 2: ADOPTION OF CODE WITH EXCLUSIONS**

The NFPD adopts the 2019 California Fire Code, Title 24, Part 9, in its entirety, including Appendices, incorporating those sections of the International Fire Code, 2018 edition not adopted by the state, with the exclusions listed below:

Exclusions: 105.6.17-105.6.19, 105.6.39, 308.1.4, 309, 311.5, 311.6, 318, 403.1, 403.2.1-403.2.4, 403.3, 403.4, 403.6, 403.7, 403.8 (adopting 403.8.1-403.8.1.7), 403.9, 403.10.2, 403.10.3, 403.11, 403.12, 404.1-404.4, 405 .1-405.4, 405.6-405.9, 406, 805-807 (adopting 807.5.2), 808, 904.1.1, 1101, 1103.1 , 1103.3-1103.6, 1103.9 (adopting 1103.9.1), 1103.10, 1104-1106, Chapter 25, Chapter 26, the exceptions under 0104.2, 0106.1, 0107.1 (1), Appendix E, Appendix F, Appendix G, Appendix J, Appendix K, Appendix L, Appendix M.

Appendices not adopted can be used for reference in enforcing other sections of the 2019 California Fire Code.

**PART 3: LOCAL AMENDMENTS**

The following sections are hereby amended or added:

**Chapter 1:**

**Scope and General Requirements**

**Section 101.1-Title.** Replace section 101.1 of the CFC with the following section:

**Section 101.1-Title**

These regulations shall be known as the Fire Code of the Newcastle Fire Protection District, hereinafter referred to as "this code".

**Department of Fire Prevention**

**Section 103.1 - General.** Replace section 103.1 of the CFC with the following section:

**Section 103.1 – General.**

The Fire Code Official of a fire department/district, with the written approval of the board of directors of the particular fire department, is authorized to make and enforce such rules and regulations for the prevention and control of fires and fire hazards as may be necessary from time to time to carry out the intent of this code. Three certified copies of such rules and regulations shall be filed with the clerk of the jurisdiction and shall be in effect immediately thereafter. Pursuant to Health and Safety Code section 13869.7, rules and regulations that involve building standards will be valid when approved by the board of supervisors.

**Fire appeals board**

**Section 109 – Board of appeals.** Replace the phrase "board of appeals" with "Fire appeals board".

**Section 109.1 – Board of appeals established.** Replace section 109.1 of the CFC with the following section:

**Section 109.1 – Fire appeals board established.**

In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretation of the provisions of this code, there is hereby appointed a fire appeals board consisting of the NFPD board of directors for matters within its jurisdiction. The chief shall be a non-voting ex-officio member of the board and shall act as secretary to the board. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the chief with a duplicate copy to the appellant and may recommend to the board of supervisors such new legislation as is consistent therewith.

**Violations.**

**Section 110.3 – Notice of violation.** Add the following to section 109.3 of the CFC:

The Fire Chief of the NFPD or his/her authorized representatives shall have authority to enforce this code and issue citations for violations within its jurisdiction.

**Chapter 2:**

**Definitions.**

**Section 202 – General definitions.** Add the following definitions to section 202 of the CFC:

Access restrictions: Access is for emergency firefighting equipment only.

Approved gates: Any gate approved for emergency access and residential egress/evacuation, shall be manually opening with no lock or latch requiring special knowledge; or any gate approved by authority having jurisdiction.

Fire hazard: Accumulations of wastepaper, wood, hay, straw, weeds, litter or combustible or flammable waste, abandoned vehicles, or rubbish on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle or other similar structure.

Fire hydrant: A hydrant supplied by a 6-inch or larger branch line, one or more pumper connection (4.5 inch) and 2 or more 2.5 inch outlets, capable of supplying required fire flow for at least 2 hours.

Emergency vehicle access and occupant emergency egress/evacuation roads: Use - Access for emergency vehicles during an emergency.

Emergency egress/evacuation for residents during an emergency, Size: Roadways shall meet the requirements of the local authority having jurisdiction, but shall not be less than the current requirements set forth in this code and in the regulations adopted pursuant to Public Resources Code section 4290.

Fire department access gates: Use - Fire Department access to open lands and vegetated areas for the purpose of extinguishing a vegetation fire. Size - Minimum 12' wide opening with 15' vertical clearance.

Whenever the words "Fire Code" are used in this ordinance, they shall mean the 2019 Edition of the California Fire Code adopted by the California Building Standards Commission and published as the 2019 Edition of the California Fire Code, including Newcastle Fire Protection District amendments thereto.

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Wherever the words "2019 California Fire Code" are used, they shall mean State of California Building Standards Code, Title 24 of the California Code of Regulations, Part 9.

Wherever the words "2019 California Building Code" are used, they shall mean State of California Building Standards Code, Title 24 of the California Code of Regulations, Part 2.

Wherever the words "2019 California Residential Code" are used, it shall mean State of California Building Standards Code, Title 24 of the California Code of Regulations, Part 2.5.

Wherever the word "Department of Fire Prevention" is used in the Fire Code, it shall mean the Newcastle Fire Protection District.

Wherever the words "Fire Code Official" or "Fire Chief" are used in the Fire Code, they shall mean the Fire Chief of the Newcastle Fire Protection District, or his/her designated representatives.

**Chapter 5:**

**Fire apparatus access road.**

**Section 503.2.1 – Dimensions.** Add the following to section 503.2.1:

Driveways for single lot residential access may be 12' in width as approved by the authority having jurisdiction.

**Section 503.2.4 - Turning Radius.** Replace section 503.2.4 of the CFC with the following section:

**Section 503.2.4 - Turning Radius.**

The inside turning radius for a fire access road shall be 30 feet or greater. The outside turning radius for an access road shall be 50 feet or greater.

**Section 503.6 Security gates.** Add the following to section 503.6 of the CFC:

**Private road gated entrance:**

1. Gate openings to be 2' wider than the roadway served.
2. Emergency vehicle access shall be provided by both a "Knox" over-ride switch and an approved emergency radio frequency gate opening device or other device approved by the authority district.
3. An approved hammerhead, turn-around bulb or other means of turn-around shall be provided on the entry side of the gate.

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4. Gates shall automatically open from the interior without use of a special code or device. (Magnetic strip or pressure pad assemblies are acceptable).
5. All electric gates shall fail in the open position, i.e. loss of power, battery failure. All gates shall be equipped, at a minimum, with 12 hour battery backup.
6. Vertical clearances shall be no less than 15'.
7. Gate shall be located no closer than 30' from the intersecting roadway ultimate edge of pavement.
8. Provide a separate personnel gate or opening sized and surfaced to allow for pedestrian and accessibility access.
9. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.

**Residential driveway gated entrance:**

Gated residential driveways shall be provided with fire department access locks or switches as approved by the authority having jurisdiction.

**Chapter 9:**

**Automatic sprinkler systems.**

**Section 903.2 - Where required.** Add the following to section 903.2 of the CFC:

In all occupancies, except Group R, Division 3 and Group U Occupancies, an approved automatic sprinkler system shall be installed where the occupancy/building has 3,600 or more square feet of total floor area, except where other sections of the CFC or the California State Fire Marshal's regulations, and/or local fire district ordinances applicable to a project are more restrictive; then, the more restrictive shall apply. Where additions increase the total size of the building to 3,600 square feet or more, the addition and the existing occupancy/building shall be provided with an approved automatic sprinkler system. Fire separation areas shall not be used to reduce this requirement.

**Section 903.3.1.3 - NFPA 13D sprinkler systems.** Add the following to section 903.3.1.3 of the CFC:

Automatic sprinkler systems installed in one- and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with the latest edition of NFPA Standard 13D and shall be equipped with a residential fire sprinkler water flow switch and interconnection to the residential smoke detector alarm system as defined in the building services division policy manual.

**Section 903.4 - Sprinkler system supervision and alarms.** Replace section 903.4 of the CFC with the following section:

**Section 903.4 - Sprinkler system supervision and alarms.**

All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically supervised. Valve supervision, water-flow alarm, fire alarm systems, and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station.

Exception: Group R, Division 3 Occupancies will be monitored if required by the local fire district and/or authority having jurisdiction.

**Fire alarm and detection systems.**

**Section 907.2 of the CFC - Where required - New buildings and structures.** Replace section 907.2 of the CFC with the following section:

**Section 907.2 of the CFC - Where required - New buildings and structures.**

All occupancies except Group R, Division 3 and Group U occupancies shall have an approved automatic fire alarm system installed when the occupancy/building has 1,500 square feet or more of total floor area unless other sections of the CFC or California State Fire Marshal's regulations are more restrictive, then the more restrictive shall apply. Fire alarm systems shall be in accordance with section 907 of the CFC or the current edition of NFPA 72 if the specific occupancy is not covered in the CFC. Where additions increase the total size of the building to 1,500 square feet or more, the addition and the existing occupancy/building shall be provided with an approved automatic fire alarm system.

Additionally, all A, E, H, I and M occupancies shall have an automatic smoke/heat detection system installed in addition to any other system(s) required by this code. Where additions increase the total size of the building to 1,500 square feet or more, the addition and the existing occupancy/building shall be provided with an approved automatic smoke/heat detection system.

Fire alarm control panels in new buildings shall be sized to allow for maximum number of anticipated devices at build-out.

All automatic smoke and heat detection systems installed in addition to any other system(s) required by this code shall be automatically transmitted to an approved central station.

**Chapter 32:**

**Tire storage.**

**Sections 3201.1 - Scope, 3405.1- Individual piles, and 3409.1 - Pile dimensions.** Add the following item to sections 3201.1, 3405.1, and 3409.1 of the CFC:

Tires: No person shall pile, cause to be piled, or maintain any pile of tires (of any manufactured material) at a height greater than ten (10) feet, except in approved horizontal storage racks, measured in all cases from the ground level. Tires shall be neatly piled and in no case shall any one pile occupy more than two hundred (200) square feet of floor or lot area. An aisle of at least ten (10) feet shall be maintained at all times between the piles in such a manner as to allow free access.

**Chapter 57:**

**Flammable and combustible liquids.**

**Section 5701.1 - Scope and Application.** Replace section 5701.1 of the CFC with the following section:

**Section 5701.1 - Scope and Application.**

It shall be unlawful to store flammable liquids as defined in chapter 57 of the International Fire Code, including gasoline and other motor fuels, in above-ground storage containers, either portable or installed, in an RS, RM, RA, RF, F or AE zoned area on a parcel of less than ten (10) acres. In areas where above ground storage is permitted, minimum distances from property lines and structures for a tank of any type shall be not less than 50 feet. The limitations/prohibitions of this section shall also apply to areas in Squaw Valley designated as Low Density Residential (LDR), High Density Residential (HDR), Forest-Recreation or Conservation Preserve. In addition, the limitations/prohibitions of this section shall apply to areas in the Lake Tahoe Basin which are designated as Tourist/Residential, Tourist, Residential, Recreation and Conservation.

Any above-ground storage must be approved, in writing, by an official of the appropriate fire protection department/district. This section shall not be applicable to portable containers suitable for such storage of 5 gallons or less.

**Section 5704.2.9.6.1 - Locations Where Above-ground Tanks are Prohibited.** Replace section 5704.2.9.6.1 of the CFC with the following section:

**Section 5704.2.9.6.1 - Locations Where Above-ground Tanks are Prohibited.**

Storage of Class I and/or Class II flammable liquids in above-ground tanks outside of buildings is prohibited unless approved by the Fire Chief having jurisdiction, using standards not less than as prescribed in the CFC or recognized equivalent.

**Section 5706.4 - Bulk Plants or Terminals.** Replace section 5706.4 of the CFC with the following section:

**Section 5706.4 - Bulk Plants or Terminals.**



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No new bulk plant shall be constructed within the limits established by the Placer County zoning ordinance, as limits of the districts in which such plants are prohibited. Where allowed, portions of properties where flammable and combustible liquids are received by tank vessels, pipelines, tank cars, or tank vehicles and are stored or blended in bulk for the purpose of distributing such liquids by tank vessels, pipelines, tank cars, tank vehicles, or containers shall be in accordance with sections 5706.4.1 through 5706.4.10.4.

**Appendix C:**

**Fire hydrants**

**Appendix C - Fire Hydrant Locations and Distribution.** Replace Table C102.1 of the CFC with the following table:

**TABLE C 102.1**

**NUMBER AND DISTRIBUTION OF FIRE HYDRANTS**

<b>FIRE-FLOW REQUIREMENT (GPM)</b>		<b>AVERAGE SPACING BETWEEN HYDRANTS<sup>1,2,3</sup> (feet)<sup>6</sup></b>	<b>MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT<sup>4</sup></b>
X 3.785 for L/min.	MINIMUM NO. OF HYDRANTS	X 304.8 for mm	
0-1,000	1	300	250
1,000 -1,750	2	300	250
2,000 - 2,250	2	300	225
2,500	3	300	225
3,000	3	300	225
3,500 - 4,000	4	300	210
4,500 - 5,000	5	300	180
5,500	6	300	180
6,000	6	250	150
6,500 - 7,000	7	250	150
7,500 or more	8 or more <sup>5</sup>	200	120

1. Reduce by 100 feet for dead-end streets or roads.

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2. Where streets are provided with median dividers that cannot be crossed by fire fighters pulling hose lines, or arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet (152.4 m) on each side of the street and be arranged on an alternating basis up to a fire-flow requirement of 7,000 gallons per minute (26,495 L/min.) and 400 feet (122 m) for higher fire-flow requirements.
3. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at not less than 1,000-foot (305 m) spacing to provide for transportation hazards.
4. Reduce by 50 feet (15,240 mm) for dead-end streets or roads.
5. One hydrant for each 1,000 gallons per minute (3785 L/min.) or fraction thereof.
6. Spacing may be increased to 500 feet for single-family dwelling residential subdivisions.

**Appendix D:**

**Fire apparatus access roads – Appendix D.**

**Section D102.1 – Access and loading.** Replace section D102.1 of the CFC with the following section:

**Section D102.1 – Access and loading.**

Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus as determined by the fire authority having jurisdiction, but no less than 75,000 pounds.

**Section D103.1 – Access road width with a hydrant.** Add the following to section D103.1 of the CFC:

Exception: R-3 Occupancies.

**Section D103.2 – Grade.** Replace section D103.2 of the CFC with the following section:

**Section D103.2 – Grade.**

Fire apparatus access roads shall not exceed 10 percent in grade.

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Exception 1: In areas above 5,000 ft. elevation, driveways of R-3 Occupancies shall not exceed 12 percent in grade, unless otherwise authorized by the fire chief. If approved, the driveway slope may exceed 12% (12 vertical feet to one hundred horizontal feet), provided the driveway meets or exceeds the prescribed minimum width, and is no longer in length than the maximum permissible height of the structure within such jurisdiction, but in no case more than 35 feet, and has the appropriate transitional slopes at the edge of pavement to property line, and has no significant articulation greater than 45% angle in its entire length).

Exception 2: In areas below 5,000 ft. elevation, driveways of R-3 Occupancies shall not exceed 16% unless authorized by the fire chief.

**Section D103.5 – Fire apparatus access road gates.** Delete section D103.5 of the CFC.

**Section D104 - Commercial and Industrial Developments.** Replace section D104.2 of the CFC with the following section:

**Section D104.2 - Buildings exceeding 62,000 square feet in area.**

Buildings or facilities having a gross building area of more than 62,000 square feet (5,760 m<sup>2</sup>) shall be provided with two separate and approved fire apparatus access roads.

**Section D107.1 - One- or Two-Family Dwelling Residential Developments.** Replace section D107.1 of the CFC with the following section:

**Section D107.1 - One -or Two-Family Dwelling Residential Developments.**

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

**PART 4: REPEAL OF PRIOR ORDINANCE:**

This Ordinance repeals and replaces Newcastle Fire Protection District Ordinance No. 2017-02 in its entirety and all other ordinances or parts of ordinances in conflict herewith.

**PART 5: INTERNATIONAL FIRE CODE ADOPTED BY REFERENCE**

The 2018 International Fire Code, including appendices A, B, E, F, G, and K, published by the International Code Council, is hereby adopted by reference.

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**PART 6: SEVERABILITY:**

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

**PART 7: EFFECTIVE DATE:**

This ordinance shall become effective and be in full force and effect thirty (30) days after the date of its passage and after ratification by the Placer County Board of Supervisors and submission of a copy of this ordinance to the California Department of Housing and Community Development, provided this ordinance is published in full or in summary within fifteen (15) days after its adoption in a newspaper of general circulation in the NFPD.

This ordinance was introduced and the title thereof read at the regular meeting of the Newcastle Fire Protection District Board of Directors on February 19, 2020.

On a motion by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, the foregoing ordinance was passed and adopted by the Newcastle Fire Protection District, Placer County, State of California, by the following vote:

**AYES:** Director(s):

**NOES:** Director(s):

**ABSTAIN:** Director(s):

**ABSENT:** Director(s):

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William Kahrl, Board Chair

ATTEST:

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Lawrence Bettencourt, Board Vice-Chair