

Kirkwood Meadows Public Utility District

Planning Committee

REGULAR MEETING AGENDA

NOTICE IS HEREBY GIVEN that the Planning Committee of the Kirkwood Meadows Public Utility District has called a Regular Meeting of the Committee to be held on **Friday, January 11, 2019 at 9:00 A.M.** at the Kirkwood Meadows Public Utility District Community Services Building, 33540 Loop Road, Kirkwood, California 95646.

The Agenda for this Regular Meeting is:

- 1) **LAFCO Representation.** Discussion and possible action.
- 2) **District Mission Statement.** Discussion and possible action. **Pg. 2**
- 3) **District Strategic Goals.** Discussion and possible action. **Pgs. 3-4**
- 4) **Review of Planning Objectives.** Discussion. **Pg. 5**
- 5) **Kirkwood Fire Ordinance.** Discussion and possible action. **Pgs. 6-23**
- 6) Future Topics
- 7) Next Meeting/Staff Recommendation: February 1, 9:00 AM.

Dated: January 2, 2019

Kirkwood Meadows PUD

The Kirkwood Meadows Public Utility District is an equal opportunity provider and employer.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the District at (209) 258-4444, by email to igillies@kmpud.com. Requests must be made as early as possible, and at least two business days before the meeting.

Kirkwood Meadows Public Utility District

Mission Statement

To maintain and enhance the quality of life in Kirkwood by providing our customers with safe, reliable services, and provide those services openly, transparently, efficiently, and cost effectively.

Kirkwood Meadows Public Utility District

Strategic Goals

Provide Efficient and Reliable Services

- Maintain and implement a current Services Master Plan, including the required facilities to meet current and future demand and supply.
- ~~Maximize a~~Appropriately use ~~and update of~~ technology to improve operational efficiency, maintenance protocols, and prioritize asset replacement.
- Establish measurements, key performance indicators and goals ~~to optimize for optimum~~ performance in each service.
- Reduce employee injuries by maintaining an active, effective safety and wellness program.

Responsibly Serve the Public

- Conduct the District's business in a legal, ethical, open, and transparent manner
- Promote public awareness of all District activities and the value of District services.
- Promote communication and cooperation with other public and private agencies.
- Develop and implement high standards of customer service.
- Develop and implement high operational standards and procedures.

Manage the District in an Effective and Fiscally Responsible Manner

- Utilize modern, cost effective work methods and equipment.
- Develop staff to ensure professionalism, continuity of organizational knowledge and District reputation as a desirable place to work.
- Review and update District financial goals to achieve a stable financial condition to include planning, revenue, ~~rates~~, debt and reserve goals.
- Maintain appropriate financial procedures to assure responsible financial management.
- Provide regular reviews of performance versus Budget.
- Clearly communicate our financial position and planned areas of focus.

Manage with Environmental Responsibility

- Procure and supply reliable low cost electric power to meet current and future loads, consistent with the Renewable Portfolio Standards requirements and other environmental best practices
- Foster a culture of efficient utility use in our community
- Minimize impacts of District operations on the natural environment. Provide key leadership in the stewardship of the District's natural resources

Kirkwood Meadows Public Utility District

Support Responsible Economic Development in Kirkwood

- Equitably¹ encourage growth of the existing economic activities and attract new activities and development that reflects, preserves, and enhances Kirkwood's unique culture and historic character and results in increased economic activity and reduced rates for District customers.
- Provide a level of services and utility ~~the~~ resources that enable and advance community-~~based~~ strategies to ~~enhance-grow~~ economic opportunity, build strong neighborhoods, and ensure a framework for quality growth and development.

¹ Equitable actions are those that do not give favored treatment to any one part of our community

**Kirkwood Meadows Public Utility District
General Manager Planning Objectives
FYE 2019**

Planning

1. Revise and approve Kirkwood Fire Ordinance to conform to latest statutes and local needs by October 1, 2018.
 - a. 1st Draft at Operations 12/27/18, Planning 1/4/19
2. Refine capacity projections to better evaluate District's Will-Serve capabilities and update Will Serve obligations by December 31, 2018.
 - a. Pending Rate Studies
3. Continue to research and pursue grant opportunities for capital projects and fire department needs.
 - a. On-going, some success.
4. Evaluate the feasibility of establishing a law enforcement presence in Kirkwood.
 - a. Evaluated, too costly.
5. Continue to work with community stakeholders to resolve funding mechanism for future community and District employee housing needs.
 - a. District provided input, waiting on Vail & KVD
6. Work with Vail to realize their long range renewable energy strategy.
 - a. Information provided to Vail, no further actions.
7. Revise Electric, Propane, Wastewater, and Water District design and construction standards.
 - a. In process (Electric & Wastewater)
 - b. Pending (Water & Propane)
8. Analyze options and feasibility of District offered storm drain contract services.
 - a. Deferred by committee unless HOAs indicate interest.
9. Review feasibility of remote cameras on the Out Valley towers.
 - a. Pending
10. Work with the Board and Vail to provide the opportunity for discount electric rates if Vail extends the ski season past early April.
 - a. Tabled by Board
11. Simplify connection fees to allow developers easier understanding of connection costs will be for new development.
 - a. Pending Rates studies
12. Participate in local, regional, and state economic development activities, conferences, and meetings.
 - a. On-going. Presentation by Tahoe Prosperity Center, attendance at Central Sierra Economic Development Meeting (Murphys)
13. Participate, sponsor, host (as appropriate) local economic development semi-annual meeting.
 - a. On-going.

ORDINANCE NO. 18.XX

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE KIRKWOOD MEADOWS PUBLIC UTILITY DISTRICT REPEALING AND REENACTING DISTRICT ORDINANCE 93.01 AND ADOPTING THE 2016 EDITION OF THE CALIFORNIA FIRE CODE, INCLUDING LOCAL AMENDMENTS, AND INCORPORATING BY REFERENCE THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE WITH CALIFORNIA AMENDMENTS AND RELATED ENFORCEMENT PROVISIONS

Be it enacted by the Board of Directors of the Kirkwood Meadows Public Utility District (“KMPUD” or the “District”):

SECTION 1. Purpose and Authority. The purpose of this ordinance is to establish requirements and standards for protection of the public safety, health, property and welfare of the Kirkwood Meadows Public Utility District by adopting the 2016 Edition of the California Fire Code, incorporating the 2015 Edition of the International Fire Code, including local amendments, and related implementation and enforcement provisions. Including Appendix Chapter 4 and Appendices B, BB, C, CC, D, E, F, G, I, K, N, M and L, specifically excluding Appendices A, H and J, as amended. This ordinance is adopted pursuant to Public Utilities Code sections 16072 through 16076, 16463 and 16463.5, Health and Safety Code sections 13861, 13869, 13869.7, 13872 and 17958.5, Government Code section 50020, *et seq.*, and other applicable law.

SECTION 2. Findings.

(a) Pursuant to Health and Safety Code section 17958.5, 17958.7 and 18941.5, The KMPUD Board of Directors hereby finds as follows:

(1) Under this adopting ordinance, specific amendments have been established that are more restrictive of nature than those adopted by the State of California (State Buildings Standards Code, State Housing & Community Development Codes) commonly referred to as Title 24 & Title 25 of the California Code of Regulations. These amendments to the California Fire Code have been recognized by KMPUD to address the fire problems, concerns and future direction by which the District can establish and maintain an environment that will afford a high level of fire and life safety to all who live and work within its boundary.

(2) The California Fire Code includes the International Fire Code. The International Code Council has assumed responsibility for the International Fire Code and International Fire Code Standards. The International Code Council provided a means for participation by all code enforcement officials from throughout the country as well as industry representatives, consultants, and other private parties with an interest in the International Fire Code and published the International Fire Code.

(3) 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.

(4) Health and Safety Code section 13869.7 authorizes the District to adopt an ordinance that changes or modifies the State Housing Regulations upon a determination that such changes are necessary based on local (1) climatic, (2) topographical or (3) geological conditions.

A. CLIMATIC

i. Climate is one of the greatest impacts to fire behavior and other major emergency events because it cannot be controlled. The drying out of wood shakes and wild land fuels in the summer months allows for easy ignition.

ii. The building of homes within the steep forest covered lands and the combustible vegetation on vacant lots coupled with windy conditions is a recipe for disaster. The Kirkwood Area has four distinct seasons: summer, winter, fall, and spring. The magnificent distinction of these seasons is an attraction to the area and one reason why significant population growth has occurred. Wide variations in population in short periods of time due to the nature of the popular resort community greatly effects the emergency response crews, increases the potential of fire occurrence and taxes emergency resources. The population growth has impacted service levels causing a fiscal strain on emergency services and the result is increased response times.

iii. The Kirkwood region has extreme variations in weather patterns too. Summers are arid and warm, winters are cold to freezing, fall and spring can bring any combination of weather pattern together. It is this cyclical uncertainty that allows weather events such as the rapid melting of the snow pack which causes flooding in the low-lying valley areas of Kirkwood Resort. The doubling of average rainfall called an "El Nino" event has occurred from time to time and does cause the grass to mature and grow in excess of six feet high before it dries out. Ten square feet of this type of fuel is equivalent to the explosive force of one gallon of gasoline.

iv. Snowfall for the Kirkwood area can be as much as 400 inches per year. This snowfall normally occurs from November to April. The snow can also cause freezing and slick roadways.

v. Heavy snowfall on Kirkwood's streets already acts as a barrier to timely response for fire equipment and emergency services. In the event of an accident or other emergency at a key point of intersections, the creek or the highway, sections of Kirkwood could become isolated or response time could be sufficiently slowed so as to increase the risk of substantial injury or damage due to fire. With the inability of the fire department to guarantee rapid response to various sections of the community, it is necessary to mitigate this problem by requiring additional built-in automatic fire protection and detection systems, which may include early detection systems and initial fire control until the arrival of the fire department.

vi. During the summer months there is generally no measurable precipitation. Temperatures for this dry period range from 60 to 75 degrees Fahrenheit and are frequently accompanied by light to gusty winds. The relative humidity during summer months range from 2 to 30 mmHG, which is arid. The area contains thousands of acres of forest lands, in conjunction with the dry and windy conditions, create a hazardous situation. These conditions have led to extensive forest fires in recent years. With more development extending in to forest-covered areas, wind-driven

fires could lead to severe consequences, as has been the case on several occasions in similar areas of the State.

vii. Several consecutive years of drought conditions have occurred, reducing the available water supply. Groundwater as well as surface supplies have all been affected. The drought conditions have led to lower water tables, reduced fire flow testing, water contamination, water conservation efforts, and increased demands on water systems due to extreme population growth. These impacts have negatively impacted water use and availability for the fire service. The degradation of water systems reduces the quality of fixed fire protection as well as fire suppression activities.

B. TOPOGRAPHICAL

i. The Kirkwood area is bisected by several topographical features, including small rivers and creeks, lakes, open space, and State Highway 88. Traffic has to be channeled around several of these topographical features, which creates traffic congestion and delays emergency response. These features are located between many of the fire stations located within the Kirkwood area. With the OSHA "two in-two out" rule requiring two fire fighters ready to make fire attack only when two others are present, it is imperative that no delays affect the timely response of the fire fighters.

ii. Heavy traffic congestion on major streets within the District already acts as a barrier to timely response for fire and emergency vehicles. In the event of an accident or other emergency at one of the key points of intersection between a road and river or freeway, sections of the District could be isolated, or response time could be sufficiently slowed so as to increase the risk of injury or damage.

iii. Preservation of wetland areas, natural parkways, riparian corridors along rivers/streams, vernal pools, open space and endangered species habitat have all contributed to access problems as well as exemption from vegetation abatement programs. These situations, though very environmentally important, do increase the demands on the fire service due to the extreme fire hazard created by fuel loading and limited access.

iv. Large areas of rural grasslands and rolling hills with residential development significantly increase response times. Available infrastructure features, such as water supplies, do not provide sufficient fire flow in these areas. The rural geographical areas not yet provided with adequate fire protection are subject to a higher degree of risk without mitigating measures.

C. GEOLOGICAL

i. The Kirkwood area is subject to ground tremors from large seismic events. This potential for earthquakes influences fire protection planning in several ways. A major seismic event would create an area-wide demand on fire protection services that would be beyond the response capacity of the fire department. Requiring initial fire control through the installation of automatic fire protection systems can mitigate this potential problem. As demonstrated above, structural damage to the overpass or bridge connecting Kirkwood's various areas would seriously

delay emergency vehicle response to these areas. Large land areas lay between the core communities which have limited fire protection resources. The seamless fire protection efforts provided through "mutual aid" agreements allow for each community to support each other but this also reduces coverage of fire stations during first and multiple response incidents. A first alarm assignment draws two fire engines, one ladder truck and a water tender in a rural area emptying three fire stations. A home of only 1,500 square-feet can draw a second alarm assignment in some instances. This situation would cause a "move-up" of other fire stations to cover the empty stations. If you exacerbate the situation through simultaneous calls/events, long term commitments to emergencies, station brown outs, out of service emergency vehicles, etc., extended response times will occur.

ii. The Kirkwood area is subject to ground tremors from seismic events. This potential for earthquakes influences fire protection planning in several ways. A major seismic event would create an area-wide demand on fire protection services that would be beyond the response capacity of the fire department. Requiring initial fire control through the installation of automatic fire protection systems can mitigate this potential problem. As demonstrated above, structural damage to the overpasses or bridges connecting Kirkwood’s various areas would seriously delay emergency vehicle response to these areas.

iii. The communities within the Kirkwood area have a propensity to be segregated in many ways due to geographical and geological features such as mountains, forest lands, lakes, rivers, etc. These geological communities such as the Silver Lake, Caples Lake, Alpine Village, Meyers, Markleeville, etc., each have unique characteristics. Some communities are more subject to urbanization than others and some blighted areas are targets for revitalization. Intensive use of land in urban areas means bigger buildings, which create complex problems for fire safety.

iv. Based on the local climatic, topographical and geological conditions, which are set forth above, the District’s amendments to the California Fire Code are considered reasonable and necessary modifications to the requirements established in that Code, pursuant to Section 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence of fire, the implementation of these amendments attempts to reduce the severity and potential for loss of life and property, and to enhance the protection of the environment.

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

Section Number	<i>Local Climatic/ Geological/Topographical Condition</i>
501.5	2. A, B & C
903.2	2. A, B & C

903.2.18	2. A, B & C
907.6.6	2. A, B & C
Table C102.1	2. A, B & C

(b) This Ordinance and the Findings of Fact set forth herein shall be filed separately with the California State Fire Marshal’s Office and California Department of Housing and Community Development by Alpine, Amador and El Dorado Counties, pursuant to Health and Safety Code section 13869.7, subdivision (c), provided the counties ratify the Ordinance.

(c) Pursuant to Health and Safety Code section 13869.7, District staff provided a copy of this proposed ordinance to Alpine, Amador and El Dorado Counties at least 30 days before the District provided notice of its public hearing at which it introduced and considered this ordinance and provided the three counties an opportunity to comment on the proposed ordinance.

(d) The District Board of Directors has considered the written comments provided before and at the public hearing at which it introduced and considered this ordinance, and the oral testimony and public comments offered at that public hearing.

(e) This ordinance was introduced on _____, 2018. Pursuant to Government Code section 50020, *et seq.*, after the first reading of the title of this ordinance and the title of the 2016 California Fire Code, Title 24, California Code of Regulations, Part 9, incorporating the 2015 Editions of the International Fire Code and International Fire Code Standards, the Board of Directors scheduled a public hearing thereon, which was held before it on _____, 2018. Notice of the hearing was published in ___[***Insert newspaper of general circulation in or nearest the District]___ once a week for two consecutive weeks prior to the hearing.

(f) At least 15 days before the hearing, at least one copy of the 2016 Edition of the California Fire Code, Title 24, California Code of Regulations, Part 9, incorporating the 2015 Editions of the International Fire Code and International Fire Code Standards was on file with the District Secretary at the District office.

SECTION 3. Adoption of the 2016 Edition of the California Fire Code, including the 2015 International Fire Code, by reference. The KMPUD Board of Directors hereby adopts by reference the 2016 Edition of the California Fire Code, Title 24, California Code of Regulations, Part 9, incorporating the 2015 Edition of the International Fire Code and International Fire Code Standards, which are published by the International Code Council, except those portions that are deleted, modified or amended by this Ordinance. Including Appendix Chapter 4 and Appendices B, BB, C, CC, D, E, F, G, I, K, N, M and L, specifically excluding Appendices A, H and J, as amended. A copy of each adopted code is on file with the KMPUD Secretary at the District office, which is located at 33540 Loop Road, Kirkwood, CA 95646. The provisions of the California Fire Code, inclusive of the local amendments set forth in this ordinance, are enacted for the protection or the

public safety, health, property and welfare and are to be liberally construed to further these beneficial purposes.

SECTION 4. Amendments to the 2016 Edition of the California Fire Code, including the 2015 Edition of the International Fire Code, by reference, as applied within the District. The KMPUD Board of Directors hereby amends, by SECTION, the 2016 Edition of the California Fire Code, including the 2015 International Fire Code, by reference, as applied within the District, as follows:

(a) SECTION 101 - SCOPE AND GENERAL REQUIREMENTS is amended to read as follows:

101.1 Title. (Amended) These regulations shall be known as the Fire Code of Kirkwood Meadows Public Utilities District, hereinafter referred to as “this code.”

102.7.1 Conflicts. (Amended) Where conflicts occur between provisions of this code, whether general requirements or specific requirements, and referenced codes or standards, the fire code official shall decide which requirement(s) will be enforced.

(b) SECTION 103 - DEPARTMENT OF FIRE PREVENTION is amended to read as follows:

103.4.2 Liability Limitation. (Added) **Nothing** shall be construed to require the fire code official or any authorized representative of the KMPUD to conduct any inspection of a sprinkler or alarm system required herein, nor shall any completed inspection impose a duty to inspect other sprinkler or alarm systems.

(c) SECTION 104 - GENERAL AUTHORITY AND RESPONSIBILITIES is amended to read as follows:

104.7.2.1 Contract Inspector. (Added) The fire code official or his/her designated representatives may require the owner or the person in possession or control of the building or premises to provide, without charge to the municipality, a special inspector ("Contract Inspector"), when the department has no technical expertise available to conduct the required inspections. The Contract Inspector shall be a qualified person who shall demonstrate his/her competence to the satisfaction of the fire code official, for inspection of a particular type of construction, operations, fire extinguishing or detection system, or process. Duties and responsibilities of the Contract Inspector shall include but not be limited to the following: (a) The Contract Inspector shall observe the work assigned for conformance with the approved design drawings and specifications. (b) The Contract Inspector shall furnish inspection reports to the fire code official, building official, and other designated persons as required by the fire code official. All discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority, fire code official, and to the building official. (c) The Contract Inspector shall submit a final signed report stating whether the work requiring inspection was, to the best of his/her knowledge, in conformance with the approved plans and specifications and the applicable workmanship provision of this code.

104.8 Modifications. (Amended) Where there are practical difficulties involved in carrying out the provisions of this code, the fire code official shall have the authority to grant modifications for individual cases, provided the fire code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire preventions. For the purposes of this section, the cost of compliance with the provisions of this Code shall not constitute a practical difficulty.

104.12 Fire Suppression Fees. (Added) The fire department may charge fees that reasonably constitute the cost of suppression of any fire against a property owner or other responsible person when the fire is a result of that person's violation of any federal or state statute or local ordinance.

(d) SECTION 105 - PERMITS is amended to read as follows:

105.2.2 Inspection authorized. (Amended) Before a permit is issued, the fire code official may inspect and approve the receptacles, vehicles, buildings, devices, premises, storage space or areas to be used. Instances where laws or regulations are enforced by departments other than the fire department, mutual approval shall be obtained from all departments concerned.

105.6.50 General use permit. (Added) A general use permit shall be required for any activity or operation not specifically described in this Section, which in the judgement of the fire code official is likely to produce conditions hazardous to life and/or property.

105.7.19 Misc. plan check. (Added) Request or submittal of any type of plan, or necessary review of documents, pertaining to an operation(s) that is covered by this Code or the fire authority, but are not specifically listed in Chapter 1.

(e) SECTION 106 - INSPECTIONS is amended to read as follows:

106.2.3 Administrative Costs. (Added) When a test or inspection is scheduled, and the contractor fails to perform to the satisfaction of the authority having jurisdiction (AHJ), the AHJ may bill the contractor for actual time spent traveling to and from the test/inspection location and the time spent at the test/inspection site as well as administrative costs.

106.2.4 Fire and Life Safety Inspections. (Added) Inspections by the Fire Department shall periodically be made of buildings and structures that are used for residential or non-residential purposes as follows: (a) A fee for inspections shall be established to offset costs of the regulatory inspection program and shall be collected upon inspection from each property subject to this ordinance. Revenues shall be used for the inspection and enforcement program. (b) The time and frequency of inspections shall be determined by the fire code official. No buildings shall be inspected for a fee more than once annually except for re-inspections to assure that code corrections have been made or hazards have been corrected. All properties shall be subject to inspection fees.

(f) SECTION 108 - BOARD OF APPEALS is amended to read as follows:

108.4 Appeals. (Added) Any person aggrieved by any decision or action of the fire code official of the KMPUD, may appeal to the Board of Directors by filing a written notice of appeal with the Clerk of the Board of Directors within thirty (30) days from the date such decision or action was taken. A nonrefundable application fee of \$250.00 shall accompany any appeal.

(g) SECTION 109 - VIOLATIONS is amended to read as follows

109.3.5 Citations. (Added) The fire code official, or his/her duly authorized representative, may issue citations for infractions or misdemeanor violations of this chapter pursuant to Section 13871 of the Health and Safety Code and the Penal Code.

109.4 Violation Penalties. (Amended) Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved constructions or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of either an infraction (250 dollar fine) or a misdemeanor (punishable by a fine of not more than 1000 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment), as determined by the fire code official at the time of violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(h) SECTION 202 - GENERAL DEFINITIONS is amended to read as follows:

CONTIGUOUS PROPERTY. (Added) shall mean a single-owner, single association, or single-user premises on a continuous plot of ground, including any buildings thereon, that is not separated by a public thoroughfare, transportation right-of-way, property owned or used by others, or body of water not under the same ownership. Utility easement?

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

FIRE CHIEF. (Amended) shall mean the Fire Chief of the KMPUD or his or her designee.

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

FIRE ALARM. (Amended) shall mean any arrangement of fire detectors, pull-boxes, smoke detectors or water-flow indicators and their associated wiring, along with annunciator panels, control panels, signaling devices and circuits, and supervision features installed in accordance

with the requirements of this Ordinance, the appropriate nationally recognized standards, and listed with the California State Fire Marshal's Office.

FIRE HAZARD. (Added). Shall mean anything or act which increases or could cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire. This includes anything or act which could obstruct, delay, hinder or interfere with the operations of the fire authority or the egress of occupants in the event of fire.

JURISDICTION. (Amended) shall mean the area within the boundaries of the KMPUD.

MUNICIPALITY (Added) shall mean the Kirkwood Meadows Public Utilities District.

NON-CONTIGUOUS PROPERTY. (Added) shall mean owner- or user occupied premises where two or more occupied premises, controlled by the same owner or user, are separated by a public thoroughfare, body of water, transportation right-of-way, or property owned or used by others.

PRIVATE BRIDGE. (Added) shall mean any structure used or intended to be used for the purpose of continuing any vehicular roadway or driveway over a depression, obstacle or waterway (natural or manmade) and so located on private property from a public road or street.

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

(i) **SECTION 304 - COMBUSTIBLE WASTE MATERIAL** is amended to read as follows:

304.3.5 Firewood storage. (Added) Firewood in excess of 16 cubic feet (.453 m³) shall not be stored within buildings, beneath buildings or structures, under eaves, canopies or other projections or overhangs or on balconies. Firewood in excess of 16 cubic feet (.453 m³) shall not be stored within 10 feet (3.05 m) of any structure. Existing firewood storage shall be made to conform with this regulation within 60 calendar days following notification of the owner or occupant.

EXCEPTION: Areas containing firewood protected by an approved automatic fire sprinkler system with an approved water source, when approved by the fire code official.

(j) **SECTION 401 - GENERAL** is amended to read as follows:

401.5.1. Cost Recovery. (Added) All costs incurred by the fire department related to any response to a false alarm may be charged to that person causing the transmission of the false alarm, or to that person's firm or corporation.

- (k) SECTION 501 - GENERAL is amended as follows:

501.5 Building Height. (Added) Buildings shall not exceed three stories or 45 feet in height for any structure built within the District, unless approved by the fire code official.

- (l) SECTION 503 - FIRE APPARATUS ACCESS ROADS is amended to read as follows:

503.2.6.1 Private bridge. (Added) In addition to the requirements of 503.2.6 every private bridge hereafter constructed shall be engineered by a licensed structural engineer in the State of California and approved by the fire code official. Certification shall be provided by the engineer in writing to the fire code official.

503.2.6.4 Existing private bridges. (Added) An existing private bridge not conforming to these regulations shall be made to conform within sixty (60) calendar days following notification to the owner.

503.3.1 Marking. (Amended) “No Parking/Fire Lane” signs or other approved notices, or both, prohibiting obstructions to required fire lanes shall be installed and maintained by the property owner. In developments or complexes where the access roadways are common space for all tenants, owners and visitors, maintenance of unobstructed access shall be the responsibility of the corporation, company, board of directors, homeowner association or other responsible legal body.

503.7 Snow removal. (Added). All roadways, whether public or private, shall be maintained free of snow at all times to a minimum unobstructed width of 20-feet (6.1 m).

- (m) SECTION 505 - PREMISES IDENTIFICATION is amended to read as follows:

505.1 Address Identification. (Amended) New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152 mm) high with a minimum stroke width of 1/2 inch (12.7 mm) for buildings up to 50 feet from a roadway. For buildings greater than 50 feet from a public way, characters shall be 10 inches (254 mm) with a minimum stroke width of 1-in (25.44 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Approved numbers/identification shall be in placed prior to occupancy on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Where required by the fire code official, address identification shall be provided in additional locations to facilitate emergency response. Address identification shall be maintained.

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

(n) SECTION 507 - FIRE PROTECTION WATER SUPPLIES is amended as follows:

507.1 Required Water Supply. (Amended) An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet (45 720 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the fire code official.

EXCEPTIONS: Group U Occupancies.

507.1.1 Water Supplies for Suburban and Rural Fire Fighting. (Added) Where the standards of this code cannot be met for development in rural areas, a fire sprinkler system or pressurized water system approved by the AHJ shall be deemed acceptable to meet the required water supply. Any such proposal shall be subject to the following:

a. The structure is in excess of 3,000 feet (914 M) from an existing adequately sized water system. Structures within 3000 feet (914 M) of an existing adequate sized water system, but beyond a water purveyor service area, will be reviewed on an individual basis.

b. When public or private water becomes available, connection to such a system shall be required at the property owners' expense.

507.5.1.1 Hydrant for standpipe system (Amended) Buildings equipped with a standpipe system installed in accordance with Section 906 shall have a hydrant within 50 feet (and no closer than 15 feet) of the fire department connection(s), unless approved by the fire code official.

507.5.5 Clear space around hydrants Clearance to obstructions. (Amended) A minimum of fifteen (15) foot clear space shall be maintained to the front; seven and one half (7 1/2) feet to both sides; and four (4) feet to the rear of any fire hydrant. This requirement shall apply to any public or private fire hydrant within the Kirkwood Meadows Public Utility District.

EXCEPTION: If the vehicle is owned or operated by a fire department and clearly marked as a fire department vehicle.

507.5.7 Fire hydrant standards. (Added) All new or replacement fire hydrants shall meet the requirements and standards of the Kirkwood Meadows Public Utility District.

(o) SECTION 901 GENERAL is amended as follows:

901.7.1.1 System maintenance. (Added) All individuals or companies installing, repairing, testing, servicing or maintaining sprinkler systems, fire hydrant systems, standpipes, fire alarm systems, portable fire extinguishers, smoke and heat ventilators, smoke-removal systems and other fire protection or extinguishing systems or appliances shall be a fire protection contractor or contractor licensed for said work by the State of California or have the appropriate license required by the California State Fire Marshal's Office or both.

The AHJ shall be notified in writing within 72 hours by the person performing repairs, testing, or maintenance when a fire protection or detection system is not in compliance with applicable codes.

When changes involve shutting off water for a considerable number of sprinklers for more than 4 hours, temporary water supply connections shall be made to sprinkler systems so that reasonable protection can be maintained. Protection shall be restored each night if possible. The fire code official may require a fire watch while any system is inoperative.

Where alarm system(s) are wholly or partially out of service for more than 8 hours, the alarm company having responsibility shall notify the Fire Dispatch Center.

901.9 Termination of monitoring service (Amended) For fire alarm systems required to be monitored by this code, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing within 72 hours of termination by the service provider.

(p) SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS is amended to read as follows:

903.1.2 Fire control room. (Added) An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system, unless approved by the fire code official. Rooms shall contain all system control valves, fire alarm control panels and other fire equipment required by the fire code official. Fire control rooms shall be located within the building at a location approved by the fire code official and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room.

EXCEPTION: One and two-family dwellings

903.1.3 Pressure maintenance device. (Added) Every automatic fire sprinkler system hereafter installed shall be provided with a pressure maintenance device approved by KMPUD. The pressure maintenance device shall be set to prevent pressures from exceeding 120psi at any time on the downstream side of the pressure maintenance device. This device shall be in addition to the required pressure relief device and shall be tested upon installation and annually thereafter.

903.1.4 Sprinkler design pressure. (Added) Fire sprinkler design pressure shall not exceed 80psi static. In areas with existing static pressure below 80psi, the normal static pressure, as tested, shall be incorporated into the design of the system.

903.2 Where required. (Amended) An approved automatic sprinkler system shall be installed in all occupancies as described below:

1. New construction. Regardless of the type of construction or occupancy, all new buildings in excess of 250 sq. ft. shall be provided with an approved NFPA sprinkler system.
2. Existing Buildings and Structures. All existing buildings and structures regardless of the type of construction, type of occupancy or area shall be provided with an automatic fire sprinkler system conforming to the requirements of the applicable NFPA Standard and the following:
 - a. Alterations or repairs to any building totaling 50% of the value of the building within any 12-month period. For this section, valuation shall be determined by the replacement cost of the existing structure based upon the most recent International Code Council Building Safety Journal "Building Valuation Data" and the building department data.
3. For the provisions of this section, area separation walls shall not apply to eliminate the installation of a sprinkler system.

903.2.18 Group U Occupancies. (Amended) Group U occupancies greater than 250 sq. ft. located within 6 feet (1828.8 mm) of sprinklered Group R Occupancy shall have fire sprinklers installed.

Section 903.4 Sprinkler system supervision and alarms. (Amended) Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be supervised by an electronically monitoring system.

EXCEPTIONS:

- a. Jockey pump control valves that are sealed or locked in the open position.
2. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
3. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

903.7 Existing sprinkler systems. (Added) All existing automatic sprinkler systems shall be monitored for water flow by an approved electronic monitoring system.

903.8 Valves. (Added) When required by the fire code official, valves controlling sprinkler systems shall be maintained in an open position by locking the valve open in an approved manner.

- (q) SECTION 906 - PORTABLE FIRE EXTINGUISHERS is amended as follows:

906.11 Size (Added) The minimum approved portable fire extinguisher size for all occupancies shall be 2A-10BC.

(r) SECTION 907 - FIRE ALARM AND DETECTION SYSTEMS is amended to read as follows:

907.6.6. Monitoring. (Amended) Required alarm systems shall be monitored by an approved alarm service provider's Type A (listed) Central Station as established by Fire/EMS Communication Center. The Central Station monitoring company or approved Alarm Company shall notify the AHJ in writing, within 72 hours of systems that are found to be out of compliance with applicable codes.

907.6.6.1 Automatic telephone-dialing devices. (Amended) Two separate telephone lines shall be provided from the protected premises to the Central Station, one of which must be Digital Alarm Communicator Transmitter (DACT), All costs regarding the installation, maintenance, and continuous operation of those lines shall be the responsibility of the building owner.

907.6.6.4 Branch electrical circuits. (Added) When providing a fire alarm circuit in a multiple occupancy type building (multiple metering), the circuit shall be energized from the house meter panel board. When a separate source of power (i.e. emergency generator) is provided the fire alarm circuit shall be energized from the emergency panel board.

907.6.6.6 Fire Alarm Panels. (Added) Fire alarm panels installed at the protected premise shall be capable of differentiating between signals, including water flow, manual, and automatic activating components and transmitting distinctive fire alarm, supervisory and trouble signals.

907.10 Alarm transmission. (Added) The activation of a fire sprinkler system, hood extinguishing system, special extinguishing system or any fire alarm/detection system shall cause the system to initiate a signal to the Central Station within 90 seconds. Transmission from the Central Station to the Fire Dispatch Center shall not exceed 60 seconds.

EXCEPTION: Existing building without an alarm system that install hood extinguishing systems or special extinguishing systems need not be monitored.

907.11 Prevention of false alarms. (Added) It is unlawful under California Penal Code Section 148.4 for any property owner or licensed contractor to fail to notify the KMPUD fire code official prior to any test, installation, repair, modification, addition, or maintenance of any fire alarm or fire extinguishing system which could result in the transmission of a false alarm.

(s) SECTION 913 - FIRE PUMPS is amended to read as follows:

913.1.1 Automatic fire pumps. (Added) When required by the fire code official, all fire pumps shall be automatic.

(t) SECTION 5003 - GENERAL PROVISIONS is amended as follows:

5003.13 Parking and garaging. (Added) Vehicles containing hazardous materials in amounts that require placard under state or federal law and possessing the physical hazards listed in Section 5001, shall not be left unattended on any residential street; nor in or within 500 feet of any residential area, apartment or hotel complex, educational, hospital or care facility at any time; or at any place that would, in the opinion of the fire code official, present a life or safety hazard.

(u) SECTION 5601 - GENERAL is amended as follows:

5601.2.4.2.1 Permit Application. (Added) Permits are required to conduct a fireworks display as required by local and state regulations. Permit application shall be made not less than 14 days prior to the scheduled date of the display. At the time of permit application, the fire code official shall be consulted regarding requirements for standby personnel and fire apparatus.

(v) SECTION 5608 - FIREWORKS DISPLAY is amended as follows:

5608.2 Electronic firing. (Added) All fireworks displays shall be electronically fired.

5608.3 Storage. (Added) Storage of fireworks is prohibited except by special permits as required by local and state regulations.

(w) CHAPTER 80, NATIONALLY RECOGNIZED STANDARDS OF GOOD PRACTICE is amended as follows:

All NFPA Standards shall be adopted except:

11C	13E	297	473	550	902	1001	1002	1003	1021	1031	1033
1035	1041	1201	1221	1402	1404	1405	1410	1500	1561	1581	1710
1720	1901	1911	1914	1931	1932	1971	1975	1981	1982	1983	1999

(x) APPENDIX C - FIRE HYDRANT LOCATIONS AND DISTRIBUTION is amended as follows:

C104.2 Hydrant location (Added) Existing hydrants affected by right of way improvements shall be moved to an approved location at no cost to the fire authority.

C106.6 - Hydrant type. (Added) The fire code official shall approve the types of fire hydrants to be installed in public right of way or on private property prior to any such installation.

C106.7 Hydrants on both sides of a street. (Added) Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:

1. Streets that have median or center dividers that make access to hydrants difficult, cause time delay, or create undue hazards.

2. When there are four or more lanes of traffic.
3. Width of street in excess of 88 feet.

SECTION 5. High Explosives. In accordance with the provisions of Division 11, EXPLOSIVES, Part 1, HIGH EXPLOSIVES, of the Health and Safety Code (Sections 12000, 12401), the Sheriff shall have the primary responsibility for the enforcement of the provisions therein. Whenever there appears in the 2016 Edition of the California Fire Code any rule, regulation or provision that conflicts with the Health and Safety Code, such rule, regulation or provision is hereby repealed.

SECTION 6. Flammable and Combustible Liquids and Liquefied Petroleum Gases.

(a) Permits. Applications for permits for the installation or modification of above ground tanks for the storage of flammable and combustible liquids shall be made to the District, fire department. Files, records, and copies of all permits shall be kept in the District's files and shall be made available upon request. The applicant shall be responsible for obtaining all required permits and approvals from any federal, state and local governmental agency prior to the installation or modification of above ground tanks.

(b) Applicants for permits for the installation or modification of underground tanks for the storage of hazardous materials, including flammable and combustible liquids, shall be made to the District, fire department. Files, records, and copies of all permits shall be kept in the District's files and shall be made available upon request. The applicant shall be responsible for obtaining all required permits and approvals from any federal, state and local governmental agency prior to the installation or modification of underground tanks.

(c) Applications for permit for the installation or modification of liquefied petroleum gas storage shall be made to the District, fire department. Files, records, and copies of all permits shall be kept in the District's files and shall be made available upon request. The applicant shall be responsible for obtaining all required permits and approvals from any federal, state and local governmental agency prior to the installation or modification of liquefied petroleum gas storage.

SECTION 7. Structural Fires. The Chief shall report all structural fires to the County Building Department on a form prescribed by the Division within twenty-four hours after the occurrence of such fire. The Chief shall notify all occupants or owners of structures, which have suffered damage by fire, that such structures or buildings must be inspected before any repairs thereto are made. The Fire Chief and County Building Department representative shall inspect the building or structure prior to conducting any repairs. A permit covering the structural, electrical and plumbing repairs shall be obtained from the County Building Department and shall be provided to the District prior to beginning the repairs.

SECTION 8. Order to Correct or Eliminate Hazard. The District Fire Chief is hereby authorized to issue a written order to any person to correct or eliminate any fire hazard or life hazard within the District boundaries. Any person who has been ordered to correct or eliminate a fire hazard or life hazard and who believes that strict compliance with the order would cause undue

hardship may, within 10 days after the date of the order, present a written request to the District Board of Directors requesting a hearing on and a review of the order. The request shall state the reasons for making the request. Within 30 days after the receipt of a timely submitted request for review, the Board shall hold a hearing on the request. The Board may modify, vacate, or affirm the Fire Chief's order. After modifying or affirming any order, the person shall comply with the order as affirmed or, if applicable, as modified by the Board.

SECTION 9. Fire Chief Authority. The District Fire Chief is hereby appointed and authorized as the chief enforcement officer of the District for enforcement of this ordinance, the California Fire Code, which is adopted by reference by this ordinance, and any other building and safety standards as the District Board of Directors may specify from time to time. The District Fire Chief is hereby authorized to issue citations for the misdemeanors specified in Health and Safety Code section 13871 and the misdemeanors specified in section 11 of this ordinance, and Section 109.3 of the California Fire Code, as amended by this ordinance. Citations shall be issued pursuant to Penal Code part 2, title 4, chapter 5C (commencing with section 853.5).

SECTION 10. Misdemeanors. Any person who violates any provision of this ordinance or the California Fire Code adopted by reference in this ordinance is guilty of a misdemeanor. Any person who fails or refuses to correct or eliminate a fire or life hazard after written order issued pursuant to Section 9 of this ordinance is guilty of a misdemeanor. Any person who falsely impersonates a member of the District Board of Directors or an officer, employee or firefighter of the District is guilty of a misdemeanor. Every misdemeanor under this ordinance is punishable by imprisonment in the county jail for a term not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or by both imprisonment and a fine.

SECTION 11. Person Defined. The word "person" as used in this ordinance shall mean and include any natural person, firm, corporation, partnership, company, association, or any other entity other than any local government, the state or the federal government.

SECTION 12. Repeal of Conflicting Ordinances. All former fire prevention ordinances or parts thereof conflicting or inconsistent with any provision of this ordinance or of the California Fire Code are hereby repealed.

SECTION 13. Validity. If any section, paragraph, sentence, or word of this ordinance or of the California Fire Code is declared invalid or is superseded, then the remainder shall remain in full force and effect.

SECTION 14. Posting. Pursuant to Public Utilities Code section 16075, within 23 days after the adoption of this ordinance, the District Secretary shall post this ordinance in three public places within the District

SECTION 15. Ratification. Pursuant to Health and Safety Code section 13869.7, subdivision (c), after this ordinance is finally adopted, the District Secretary shall transmit a copy of this ordinance to Alpine, Amador and El Dorado Counties with a request that the counties ratify this Ordinance within 15 days after its receipt.

SECTION 16. Effective Date. This ordinance shall become effective upon ratification by Alpine, Amador and El Dorado Counties and the expiration of 30 days after the date of its final adoption.

INTRODUCED by the Board of Directors on the ____ day of _____ 2018

PASSED AND ADOPTED by the Board of Directors of the Wheatland Fire Authority on the ____ day of _____ 2018, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

*****, President of The Board of Directors
Kirkwood Meadows Public Utility District Attest:

ATTEST:

*****, Secretary of the Board

I hereby certify that the foregoing is a true and correct copy of Kirkwood Meadows Public Utility District Ordinance No. _____, which ordinance was duly introduced, adopted and posted pursuant to law.

*****, Secretary of the Board