ORDINANCE NO. 2016-05
AN ORDINANCE OF THE ALBANY CITY COUNCIL AMENDING
CHAPTER XII, BUILDING AND HOUSING AND
CHAPTER XI FIRE PREVENTION
OF THE ALBANY MUNICIPAL CODE
TO INCLUDE REGULATIONS ADOPTING
THE CALIFORNIA BUILDING STANDARDS CODE AND FIRE CODE

WHEREAS, the California Health and Safety Code requires the City of
Albany to enforce the California Building Standards Code as adopted and published
by the California Building Standards Commission; and

WHEREAS, the City of Albany may adopt administrative provisions as
appropriate to the City; and

WHEREAS, the State of California allows local jurisdictions to amend the
California Building Standards Code where necessary to reasonably address adverse
local conditions related to climate, geology, and/or topography, and thus the City
Council makes the following findings regarding local conditions:

a) the City of Albany is a dense built-out community with older commercial
and residential structures on relatively small lots; and

b) the City of Albany is located near several active earthquake faults including
the San Andreas, Hayward and Calaveras faults; and

c) moderate to highly expansive soils are present throughout most of the built-
out portions of the City of Albany; and

d) the waterfront portion of the City of Albany includes poorly compacted
artificial fill; and

WHEREAS, the proposed ordinance does not involve a commitment to or
require a significant physical change in future projects, and thus is not a “project” as
defined by California Environmental Quality Act (CEQA) Guidelines Section 15378;
and

WHEREAS, on December 5, 2016, the Albany City Council held a duly
noticed public hearing on the draft ordinance to amend Chapter XII adopting the
California Building Standards Code; and

NOW, THEREFORE, THE ALBANY CITY COUNCIL DOES HEREBY
ORDAIN AS FOLLOWS:
Section 1: Chapter XII of the Albany Municipal Code, Section 12-6.1 titled
"Adoption of Building Codes" is hereby amended as follows:


The 2013 2016 edition of the California Building Standards Code located in
Title 24 of the California Code of Regulations is hereby adopted as published by the
California Building Standards Commission, and are hereby adopted as part of the
Albany City Code as if set forth here word for word by reference. A copy of these
codes shall be available for public review in the Community Development
Department of the City of Albany.

The adopted codes shall regulate and govern the condition and maintenance of
all property, buildings, and structures by providing the standards for the supply of
utilities and facilities and other physical things and conditions essential to ensure the
structures are safe, sanitary, and fit for occupation and use; and for the condemnation
of buildings and structures unfit for the human occupancy and use, and the demolition
of such structures as herein provided; providing for the issuance of permits and
collections of fees therefor; and each of the regulations, provisions, penalties,

conditions, and terms of said codes are hereby referred to, adopted, and a part hereof
as if fully set forth herein with the additions, insertions, deletions, and changes, if
any, prescribed by this Chapter.

The codes adopted herein are considered to be complementary and
supplementary to any other provisions contained in the Albany Municipal Code and
may be imposed, at the discretion of the building official, as the operative code
provisions in the event of a conflict with other provisions contained in the Albany
Municipal Code.

Section 2: Chapter XII of the Albany Municipal Code, Section 12-6.1.b titled
"Additions and Amendments to the California Building Standards Code" is
hereby amended as follows:

12-6.1.b.4 Adoption of Building Codes.

Deleted in its entirety and replaced with the following:

12-6.1.b.4 Adoption of Building Codes.

4. The following sections are adopted for the administration of the California
Building Standards Code in the City of Albany:

a) California Building Code Chapter 1, Division II
b) California Building Code, Appendix B Board of Appeals
b) California Building Code, Appendix H Signs
c) California Building Code, Appendix J Grading
Section 3: Chapter XI of the Albany Municipal Code, Section 11-2 titled “Adoption of the California Fire Code” is hereby amended as follows

11-2.1 Adoption of the California Fire Code.

The California Fire Code, 2013 edition, including Appendices B, C, D, E, F, G, H, I, K, as published by the International Code Council, and by reference the International Fire Code, 2012 edition. With the additions, insertions, deletions, and changes, prescribed in Section 11-2.2 of this chapter is hereby adopted as the Fire Code of the City of Albany. A copy of the Fire Code shall be maintained for public review in the office of the Albany Fire Department. The Fire Code shall regulate and govern the safeguards of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code.

Section 4: Chapter XI of the Albany Municipal Code, Section 11-2 titled “Local Amendments to California Fire Code” is hereby amended as follows

11-2.2 Local Amendments to California Fire Code

Deleted in its entirety and replaced with the following:
11-2.2 Local Amendments to California Fire Code.

Chapter 1 Scope and Administration.

Chapter 1 Scope and Administration amended as follows:

101.1 Title. Section 101.1 amended as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Albany, herein after referred to as “this code.”

102 Applicability. Section 102.1 amended by adding item 5 as follows:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

5. Where not otherwise limited by law, the provisions of this Code shall apply to vehicles, ships, boats, mobile vehicles, and modular homes when fixed in a specific location within the boundaries of this jurisdiction.

104 General Authority and Responsibility. Section 104.2. amended by adding Sections 104.2.1 and 104.2.2 as follows:

Section 104.2.1 is amended by adding subsection to read as follows:

Section 104.2.1 Plan Review. Whenever any land is to be developed or a building is to be constructed, before undertaking any construction or development, Applicants shall submit building plans and specifications to the Albany Fire Department which includes an aerial pre-fire plan for said Department's retention and review for compliance with this ordinance and other applicable regulations.

Section 104.2.2 is amended by adding subsection to read as follows:

Section 104.2.2. Development Requirements. This section shall be applicable whenever any land is developed or a building is constructed or improved which would require:

1. Provision of a water supply for fire protection;
2. Provision of access for fire apparatus;
3. An occupancy for the storage, handling, or use of any hazardous substance, material process or device;
4. Occupancies for which a fire department has responsibility for enforcement of laws or ordinances for fire safety or for the preservation of property or lives; or
5. Provisions to control the spread of fire.

Section 104.12 is amended by adding subsection to read as follows:
Section 104.12. Fire Chief Fire Prevention Scope. The Fire Chief may order, in writing, the correction, elimination or abatement of any fire or life hazard or any violation of this Ordinance including the code and standards incorporated by reference herein when the correction, elimination or abatement is necessary for the prevention or suppression of fires or conflagrations or for the protection or preservation of life or property against the hazards of fire or conflagration.

105.4.3 Applicant Responsibility. Section 105.4.3 amended by adding section 105.4.3.1 as follows:

105.4.3.1 Responsibility of Permittee. Approved Permits shall be presumed by the city to incorporate all of the work that the applicant, the applicant's agent, employees and/or contractors shall carry out. Said proposed work shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No City approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

105.6 Required operational permits.

Section 105.6 amended as follows:

Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in sections 105.6.1 through - 105.6.56.

105.6.50 Christmas tree sales. An operational permit is required to use a property for the purpose of selling cut Christmas trees, see applicable provisions of Chapter 3 General Precautions Against Fire.

105.6.51 Pumpkin patches/ lots. An operational permit is required to use a property for the purpose of selling pumpkins and associated seasonal items, see applicable provisions of Chapter 3 General Provisions Against Fire.

105.6.52 Firework aerial display. An operational permit is required to conduct a firework display regulated by California Code of Regulations Title 19 and this code, see Chapter 56.

105.6.53 Model rockets. An operational permit is required to launch model rockets, see California Code of Regulations Title 19, Division 1, Article 17.

105.6.54 Asphalt kettles. An operational permit is required to operate and use asphalt kettles, see applicable provisions of Chapter 3 General Provisions Against Fire.
105.6.55 Battery Systems. A permit is required to operate stationary lead acid battery systems having a liquid capacity of more than 50 gallons (189L) pursuant to Section 608.

105.6.56 Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses. An operational permit shall be required for haunted houses, ghost walks, or similar amusements in accordance with Appendix K.

Section 105.7 amended as follows:

105.7 Required construction permits. Required construction permits. The fire code official is authorized to issue construction permits for operations set forth in Sections 105.7.1 through 105.7.23.

105.7.19 Construction, alteration, or renovation of a building for which a building permit is required. A construction permit is required to construct, add to, alter, renovate, rebuild, or move into the jurisdiction a structure for which a building permit is required.

105.7.20 Subdivision of land. Plans shall be submitted for all land developments and/or improvements proposed within the jurisdiction.

105.7.21 Water supply for fire protection.

105.7.22 Access for fire apparatus. A construction permit is required to install, improve, modify, or remove public or private roadways, driveways, gates and bridges for required fire apparatus access.

105.7.23 Medical gas system. A construction permit is required for the installation of or modification to a medical gas system, see Section 5306.

108.3 Qualifications.

Section 108.3 amended as follows:

108.3 Qualifications. The board of appeals shall consist of members from the Planning and Zoning Commission of the City of Albany.

109.4 Violation.

Section 109.4 amended as follows:

109.4 Violations. 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 construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be
guilty of a misdemeanor, punishable by the limits set forth in the City of Albany Municipal Code.

111.4 Failure to comply.

Section 111.4 amended as follows:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall be liable to a fine of not less than 500 dollars or not more than 5,000 dollars.

Chapter 2 Definitions

Section 202 is amended to include the following definitions:

Public nuisance. Is a declaration by the fire code official that the presence of combustible materials on a parcel creates a fire hazard.

Weeds. Means all weeds, vegetative combustible materials, growing upon streets or private property in the City of Albany and includes any of the following:
1. Weeds, which bear seeds of a fluffy nature or are subject to flight.
2. Sagebrush, chaparral, and any other brush or weeds which, attains such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds which are otherwise noxious or dangerous.
4. Poison oak and poison sumac when the conditions of growth are such as to constitute a menace to public health.

Chapter 3 General Precautions Against Fire

301.2 Permits

Section 301.2 amended to read as follows:

301.2 Permits. Permits shall be required as set forth in Section 105.6 for the activities or uses regulated by 303, 306, 307, 308 and 315.

304.1 Waste accumulation prohibited.

Section 304.1 amended to include section 304.1.4 as follows:

304.1.4 Public nuisance. The Fire Marshal or his/her designee shall notify the property owner in writing of said dangerous accumulations which must be abated by the removal of all debris and weeds posing a fire hazard.

Chapter 4 Emergency Planning and Preparedness
401.5 Making false report. Section 401.5 amended to add section 401.5.1 as follows:

Section 401.5.1 False/Nuisance alarm fee. A fee may be charged for false/nuisance alarms according to the master fee schedule of the City.

Chapter 5 Fire Service Features

Section 506.1 is amended by adding Subsection 506.1 items number one (1) thru number seven (7) to read as follows:

Section 506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire official is authorized to require a Knox Rapid Entry System to be installed in an approved location. The Knox Rapid Entry System shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. If any of the following items listed (a) thru (g) is located at an occupancy then a Knox Rapid Entry System shall be required.

a) Fire suppression and standpipe systems. When a building within the city limits is protected by an automatic fire suppression and/or standpipe system, it shall be equipped with a Knox Rapid Entry System, installed at a location approved by the Fire Code Official or designee.

b) Automatic Alarm Systems. When a building within the city limits is protected by an automatic fire suppression and/or standpipe system, it shall be equipped with a Knox Rapid Entry System, installed at a location approved by the Fire Code Official or designee.

c) Multi-family residential structures. Multi-family residential structures comprised of four (4) or more units which access to the building or common areas or mechanical or an electrical room within the building is denied through locked doors.

d) Automatic Gates. When a property is accessed through a gate or cross arm that impedes ingress through required fire lanes by means of a key or swipe card, it shall be equipped with a key switch to be installed at a location approved by the Fire Code Official or designee.

e) Security Padlock. When a property is protected by a locked fence or gate and where immediate access to the property is necessary for life saving and firefighting purposes, it shall be equipped with a security padlock to be installed at a location approved by the Fire Code Official or designee. It shall then be the responsibility of the Responsible Party to see that the fence or gate is secured properly so that the security padlock is accessible.

f) Construction Sites. When a construction site is to be secured by a locked fence or gate, that site will fall under section 2 subsection E, during the duration of construction or until said fence or gate is
removed. It shall then be the responsibility of the construction
company to see that the fence or gate is secured properly so that the
security padlock is accessible.
g) Security of Fire Department Connections (FDC). When a building
is protected by an automatic sprinkler and/or standpipe system and the
fire department connection is exposed to vandalism, the Fire Code
Official or designee shall require that a security cap be installed.
Exception: This shall not apply to any owner occupied one and two
family dwellings. Owners of single and two family occupancies are
encouraged to participate voluntarily utilizing a residential key box.

Section 506.1.1 is amended to read as follows:

Section 506.1.1 Locks. An approved lock(s) shall be installed on gate(s), or
similar barrier(s) and security caps for all fire department connections to an
automatic sprinkler and/or standpipe system.

Section 506.1.3 is added to read as follows:

Section 506.1.3 Knox Rapid Entry System storage cabinet contents. Any
facility, firm, or corporation that handles, uses, or stores hazardous material and or
total aggregate is more than 55 gallons of liquid, 500 pounds of solid, or 200 cubic
feet of gas, shall have a Knox Box HazMat Cabinet for Albany Fire Department
use. A weatherproof cabinet shall be installed when appropriate. Exception: not
required for Underground Storage Tanks (UST).

The cabinet shall contain the following items:
1. Binder for hazmat Knox Box with:
   a. List of responsible parties phone numbers (i.e. plant
      manager, owner, all principal employees, management
      types, and major chemical manufacturers).
   b. An aerial pre-plan of the facility, to include room
      numbering, extinguishing systems (outside stem and yoke
      (OSY), post indicator valves (PIV), fire department
      connections (FDC), drains, secondary containment,
      ventilation systems, and hydrant locations.
   c. Alphabetical list of chemicals, room number location, and
      approximate quantity and strength (i.e. 50%, 60%, 85%,
      etc.).
   d. Safety Data Sheet (SDS) of all chemicals in alphabetical
      order.

2. Keys for hazmat Knox Box:
   a. Keys to all locked doors with plastic identification tags
      corresponding to complex aerial pre-plan.

3. Location of Hazmat Knox Box:
   a. The Knox Box location will be determined by the Fire Code
      Official or designee.
Section 506.1.4 is added to read as follows:

**Section 506.1.4 Knox Rapid Entry System key box contents.** The Key boxes shall contain, but not be limited to the following items as designated by the Fire Code Official or designee.

- The Key Box shall contain the following items:
  1. Labeled keys to locked points of egress, whether in interior or exterior of such buildings.
  2. Labeled Keys to the locked mechanical rooms.
  3. Labeled keys to any fence or secured areas not covered in Section 506.1 subsection (4), (5), or (6).
  4. Labeled keys to any other areas that may be required by the Fire Code Official or designee.
  5. A card containing the emergency contact people and phone numbers for each occupancy.
  7. Aerial pre-plan.

Section 506.1.5 is added to read as follows:

**Section 506.1.5 Alert Decals.** Alert decals approved by the Fire Code Official or designee, to alert fire companies of the presence of security features covered by this ordinance, will be displayed on any outside doors or windows as designated by the Fire Code Official or designee.

Section 506.2 is amended to read as follows:

**Section 506.2 Knox Rapid Entry System maintenance.** The operator of the building shall immediately notify the Fire Code Official or designee and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the Knox Rapid Entry

**Chapter 9 Fire Protection Systems**

Section 901.6.2.2 is amended by adding to read as follows:

**Section 901.6.2.2 Inspection Records.** Records of all Inspections, testing and maintenance for all water based fire suppression systems shall be completed on the forms found in annex B of NFPA 25, California Edition.

Section 902.1 is amended by adding 902.1-U to read as follows:

**Section 902.1 Definitions.** Undetermined Occupancy. In buildings of undeclared use with floor to structure height greater than 14 feet (356 mm), the fire
sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet (356 mm), the fire sprinkler system shall be designed to conform to Ordinary Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 902.1 is amended by adding 902.1-S to read as follows:

Section 902.1 Definitions. Substantial Remodel. In existing buildings, any alteration that causes additional floor area that is more than fifty (50%) percent of the existing floor area or where the total floor area exceeds 2500 square feet.

Section 903.2 is adopted in its entirely except as amended below:

Section 903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:
1. The fire area exceeds 2,500 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

Section 903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for fire areas containing Group A-s occupancies and intervening floors of the building where one of the following conditions exists:
1. The fire area exceeds 2,500 square feet.
2. The fire area has an occupant load of 100 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 2,500 square feet, contains more than one fire area containing a Group A-2 occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.

Section 903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:
1. The fire area exceeds 2,500 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Section 903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:
1. The fire area exceeds 2,500 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge
serving such occupancies.

Section 903.2.3 Group E. Except as provided for in Section 903.2.19 for a
new public school campus an automatic sprinkler system shall be provided for
Group E occupancies as follows:
1. Throughout all Group E fire areas greater than 2,500 square feet in
area.
2. Throughout every portion of educational buildings below the lowest
level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area
below the lowest level of exit discharge serving that area where every
classroom throughout the building has at least one exterior exit door at
ground level.
1. In rooms or areas with special hazards such as laboratories, vocational
shops and other such areas where hazardous materials in quantities
not exceeding the maximum allowable quantity are used or stored.

Section 903.2.4 Group F-1. An automatic sprinkler system shall be
provided throughout all buildings containing a Group F-1 occupancy where one of
the following conditions exists:
1. A Group F-1 fire area exceeds 2,500 square feet.
2. A Group F-1 fire area is located more than three stories above grade
plane.
3. The combined area of all Group F-1 fire areas on all floors, including
any mezzanines, exceeds 2,500 square feet.

Section 903.2.7 Group B and M. An automatic sprinkler system shall be
provided throughout buildings containing a Group B and M occupancies where one
of the following conditions exists:
1. A Group B or M fire area exceeds 2,500 square feet.
2. A Group B or M fire area is located more than three stories above
grade plane.
3. The combined area of all Group B and M fire areas on all floors,
including any mezzanines, exceeds 2,500 square feet.
4. A Group M occupancy is used for the display and sale of upholstered
furniture.

Section 903.2.8 Group R. An automatic sprinkler system installed in
accordance with Section 903.3 shall be provided throughout all Group R
occupancies, including manufactured and mobile homes, including those located in
mobile home, and when fire, earthquake, or other disaster destroys 50% or more of
an existing building, the entire building shall be required to be protected by an
automatic fire sprinkler system.
903.2.8.2 Additions, alterations, renovations, or remodels of Group R-3
occupancies. An automatic sprinkler system shall be provided throughout all existing
Group R-3 occupancies when the aggregate of the additions, alterations, renovations,
and remodels exceeds 50% of the floor area (attached garages are included as part of
the existing floor area) or the total fire area exceeds 1,500 square feet.

Section 903.2.9 Group S-1. An automatic sprinkler system shall be
provided throughout all buildings containing a Group S-1 occupancy where one of
the following conditions exists:
1. A Group S-1 fire area exceeds 2,500 square feet
2. A Group S-1 fire area is located more than three stories above grade
plane.
3. The combined area of all Group S-1 fire areas on all floors, including
any mezzanines, exceeds 2,500 square feet.

Section 903.2.9.1 Repair garages. An automatic sprinkler system shall be
provided throughout all buildings used as repair garages in accordance with Section
406 of the California Building Code, as shown:
1. Buildings having two or more stories above grade plane, including
basements, with a fire area containing a repair garage exceeding
2.500 square feet.
2. Buildings no more than one story above grade plane, with a fire area
containing a repair garage exceeding 2,500 square feet

Section 903.2.10 Group S-2 enclosed parking garages. An automatic
sprinkler system shall be provided throughout buildings classified as enclosed
parking garages in accordance with Section 406.4 of the California Building Code
as follows:
1. Where the fire area of the enclosed parking garage exceeds 2,500
square feet; or
2. Where the enclosed parking garage is located beneath other
occupancy groups.

Section 903.2.11.3 Buildings 35 feet or more in height. An automatic fire
extinguishing system shall be installed in all occupancies regardless of type of
construction, floor area, or occupancy load if the building is three stories or more
than 35 feet in height measured in accordance with the California Building Code.
Chapter 5.

Section 903.2.23 Area Separation. For the purpose of this section,
buildings separated by fire walls without openings, constructed in accordance with
the California Building Code, shall not be considered to create separate buildings.

Section 903.3. Installation requirements.
Section 903.3.1. Standards is amended as follows:

Section 903.3.1 Standards. Sprinkler systems shall be designed and installed in accordance with Section 903.3.1.1, unless otherwise permitted by Section 903.3.1.3 and other chapters of this code, as applicable.

Section 903.3.1.2 is deleted.

Section 903.4.2 is amended to read as follows:

Section 903.4.2 Alarms. One approved audible and visual device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible and visual alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.6 Where required in existing buildings and structures.

Section 903.6 amended by adding Sections 903.6.1, Table 903.6.1, and Section 903.6.2 as follows:

903.6.1 Change in occupancy classification. Existing non-residential buildings which undergo a change in occupancy classification to a higher hazard occupancy or have a fire area exceeding 2500 square feet within their hazard category shall require the entire building be protected by an automatic sprinkler system installed in accordance with Section 903.3. Relative hazard categories of occupancy groups shall be as shown in Table 903.6.1. The requirements of Section 903.6.1 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category and the fire area is 2500 square feet or less.

| Hazard Category 1 (highest hazard) | H, I, A, L |
| Hazard Category 2                  | S-1, F-1   |
| Hazard Category 3                  | E, F-2, S-2|
| Hazard Category 4 (lowest hazard)  | B, M, U    |

905.3.1 Height. Section 905.3.1. amended by adding item #5

905.3.1 Item #5. Buildings three stories but less than 30 feet in height above the lowest level of fire department vehicle access.

Section 907 Fire Alarm and Detection Systems

907.2 Where required—new buildings and structures.
Section 907.2 changed as follows:

907.2 Where required—new buildings and structures. An approved fire alarm system installed in accordance with provisions of this code and NFPA 72 shall be provided in new buildings and structures and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code. Fire alarm systems are not required in Group R-3 occupancies.

A minimum of one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers or automatic fire alarm systems, a single fire alarm box shall be installed at a location approved by the enforcing agency.

Exceptions:
1. The manual fire alarm box is not required for fire alarm control units dedicated to elevator recall control, supervisory service and fire sprinkler monitoring.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.
3. The manual fire alarm box is not required to be installed when approved by the fire code official.

907.2.11 Single and multiple-station smoke alarms.

Section 907.2.11 Single and multiple-station smoke alarms amended as follows:

907.2.11 Single and multiple-station smoke alarms. Listed single and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.18 and NFPA 72.

907.2.11.10. Any construction that is required to install an additional smoke alarm or smoke detector under the California Fire Code, the California Building Code, or other codes or standards adopted by the City of Albany, shall be required to upgrade all required devices in the building to photoelectric-only type devices in all required locations.

907.2.11.11. Any renovation of existing habitable space that exceeds a threshold established by the City Council shall be required to upgrade all required smoke alarms or smoke detectors in the building to photoelectric-only type devices in all required locations.

907.2.11.12. Prior to the sale of any real property, a property owner shall upgrade the smoke alarm/smoke detector system to photoelectric-only type devices.
907.2.11.13. Prior to the issuance of a home occupation permit, a property owner shall upgrade the smoke alarm/smoke detector system to photoelectric-only type devices.

907.2.11.14. Multi-family residential structures containing three (3) housing units or more are required to maintain photoelectric-only smoke alarm/smoke detector system.

907.2.11.15. Property owners are responsible for testing the effectiveness of existing smoke alarms or smoke detectors per manufacturer's instructions. Required smoke alarms or smoke detectors that are determined to be ineffective shall be replaced with photoelectric-only type smoke devices.

907.2.11.16. All required smoke alarms and smoke detectors shall be replaced upon the expiration of the warranty period of the installed device. Replacement devices must be photoelectric-only type devices.

907.2.11.17. Dual type smoke alarms or smoke detectors are prohibited in required locations.

907.2.11.18. Nothing in this section shall prohibit or discourage the additional use of ionization or dual type alarms in additional locations.

Section 907.6.5 is amended to read as follows:

907.6.5 Monitoring of fire alarm systems. A fire alarm system required by this chapter, or by the California Building Code, shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.

Exception: Monitoring by a UL-listed central station is not required for:
1. Single and multiple station smoke alarms required by section 907.2.11
2. Group I-3 occupancies shall be monitored in accordance with section 907.2.6.3.4
3. Residential Day Care Facilities (occupancy load of 14 or less)
4. One and two family dwellings
5. Residential Care Facilities licensed by the state with an occupant load of 6 or less.
6. Occupancies with a local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.

Section 907.8.4 is added to read as follows:

Section 907.8.4 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA
72 shall be provided for all new fire alarm system installations. It is the
responsibility of the building owner or owner’s representative to obtain and
maintain a current and valid Certificate.

Section 907.8.5 is added to read as follows:

**Section 907.8.5 Posting of Certificate.** The UL Certificate shall be posted
in a durable transparent cover within 3 feet of the fire alarm control panel within 45
days of the final acceptance test/inspection.

**Chapter 10 Means of Egress**

Section 1010.1.9. Door operations.

Section 1010.1.9 Door operations amended by adding Sections 1010.1.9.13 and
1010.1.9.13.1 as follows:

1010.1.9.13 Residential self-closing doors. All residential units in multi-family
residential structures shall have self-closing exterior doors.

1010.1.9.13.1 Responsibility. Property owners are responsible for testing and
maintaining the effectiveness of self-closing hardware per manufacturer’s instructions.
Required self-closing hardware that is determined to be ineffective shall be replaced
with functioning hardware.

**Chapter 11 Existing Buildings**

Section 1103.7 Fire alarm systems. Section 1103.7 Fire alarm systems amended as
follows:

1103.7 Fire alarm systems. An approved fire alarm system shall be installed in
existing buildings and structures in accordance with Sections 1103.7.1 through
1103.7.7 and in buildings being renovated, rehabilitated, or undergoing reconstruction
of any size, or having a change of ownership or occupancy classification, providing
occupant notification in accordance with section 907.5 unless other requirements are
provided by other sections of this code. Existing high-rise buildings shall comply with
Section 1103.7.9

Exception: Occupancies with an existing previously approved system.

**Chapter 57 Flammable and Combustible Liquids**

5704.2.9.6.1 Locations where above-ground tanks are prohibited.

Section 5604.2.9.6.1 Locations where above-ground tanks are prohibited amended by
adding an exception as follows:
5604.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Exception: Protected aboveground tanks constructed in accordance with UL 2085 standards, for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, central business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size not to exceed 500 gallons (1892 L) of either Class I or II liquids or 1,000 gallons (3785 L) for Class III liquids unless otherwise approved by the Fire Chief.

Geographical Limitations

That the geographic limits referred to in certain sections of the 2013 California Fire Code are hereby established as follows:

3.1 The limits referred to in Section 5704.2.9.6.1 of the California Fire Code in which storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, are hereby established as follows: Any area which is zoned for other than commercial, industrial, or agricultural use.

3.2 The limits referred to in Section 5706.2.4.4 of the California Fire Code in which storage of Class I and II liquids in above-ground tanks is prohibited, are hereby established as follows: Any area which is zoned for other than commercial, industrial, or agricultural use.

3.3 The limits referred to in Section 5806.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited is hereby established as follows: Any area which is zoned for other than industrial use.

3.4 The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows: Any central business district area, any area which is zoned for other than commercial, industrial, rural, or agricultural use.

Section 5: Chapter XI of the Albany Municipal Code, Section 11-2.3 titled “Fire Extinguishing Systems” is hereby amended as follows:

11-2.3 Fire Extinguishing Systems.

Deleted in its entirety.
Section 6: Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 7: Publication and Effective Date.

This ordinance shall be posted at three public places within the City of Albany and shall become effective thirty days after the date of its posting.

PASSED AND ADOPTED by the City Council of the City of Albany at its meeting on the 5th day of December 2016, by the following vote:

AYES: Council Members: Barnes, Moore, Nason, Ritcher, and Mayor McQuaid
NOES: - none
ABSENT: - none
ABSTAIN: - none

[Signature]
Mayor
ORDINANCE NO. 2016-05

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

the 19th day of December, 2016 by the following votes:

AYES: Council Members McQuaid, Nason, Pilch, Mayor Maass

NOES: Council Member Barnes

ABSTAINED: none

ABSENT: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

20th Day December, 2016.

Eileen Harrington
Eileen Harrington
DEPUTY CITY CLERK
NOTICE OF POSTING

STATE OF CALIFORNIA
COUNTY OF ALAMEDA

I, Eileen A. Harrington, Deputy City Clerk of the City of Albany, County of Alameda, State Of California, say:

That on the 20th day of December , 2016, I posted notices in the following areas designated as the official posting areas for the City of Albany:

CITY HALL
SENIOR CENTER
LIBRARY/COMMUNITY CENTER

The notice was for: ORDINANCE 2016-05 - Council adopt Ordinance No. 2016-05, Amendments to the Building & Housing, Fire Prevention, Chapters of the Municipal Code related the Adoption and Local Amendments to the of the 2016 California Building Standards Code

Full copy of the above is available on line at www.albanyca.org and at the City Clerk Office, 1000 San Pablo Avenue, Albany, CA.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 30th Day of November, 2016, at Albany, California.

Eileen Harrington

EILEEN A. HARRINGTON
DEPUTY CITY CLERK

Date Posted: 12/20/2016
Removal Date: 1/19/2017