

Public Safety

Fort Bragg Municipal Code, Chapter 15.06 Automatic Fire Sprinkler & Alarm Systems

Issue: During the last attempt to clarify this chapter a sentence was altered that has proven to be detrimental to the intent of this ordinance. By omitting the 36 month time frame (as pointed out in the attachment) we have created a “loop-hole” that if taken advantage of pretty much omits the requirement of sprinklers. What makes this an even greater issue is that owners of commercial property that abide by the intent of the ordinance and install sprinklers as required are seeing projects that cost much more not being required to do so. As currently written, the following scenario could and has happened.

The City is presented a set of plans for a remodel with an estimated cost of \$150,000. The owner is informed that they are required to install fire sprinklers as they have went over the \$75,000 threshold. Fire sprinklers are installed.

The City is presented 6 separate plans each for a portion of a remodel project. Each plan has an estimated cost of \$50,000. The total estimated cost of this project will be \$300,000. The owner is not required to install fire sprinklers because none of the plans presented meet or exceed the \$75,000 threshold. As there is no time frame in the ordinance, these plans can be submitted one after the other.

After both projects are completed, the owner of the building with fire sprinklers is questioning why he had to install sprinklers when the other building with twice the work did not. They are questioning the fairness of this and are right to do so.

By simply adding the portion of the altered sentence that was removed, the City would create a fair and even sprinkler ordinance for the commercial building owners.

Definitions contained in the California Fire Code, California Code of Regulations, Title 24, Part 9, 2019 Edition, shall apply to this chapter unless specifically amended. Whenever any of the following names or terms are used in any of the compilations adopted by reference by this chapter such names or terms shall have the following meanings:

APPEAL AUTHORITY. As defined in Chapter 1.06.

BUILDING. Any building or group of buildings that requires a sprinkler under this chapter or the California Fire Code, California Code of Regulations, Title 24, Part 9, 2019 Edition.

BUILDING PERMIT VALUATION. The value of repairs, maintenance and remodel work as determined by the Mendocino County Planning and Building Department through their plan review process. The building permit valuation will include the total of all active building permits for the building at the same location, excluding separate permits to install automatic fire sprinkler systems.

(Ord. 957, § 2, passed 01-13-2020)

15.06.030 AUTOMATIC FIRE SPRINKLER SYSTEMS – REQUIRED.

- A. All new buildings shall have an automatic fire sprinkler system installed, unless specifically exempted in accordance with § 15.06.050.
- B. Buildings in existence prior to the adoption of this code shall be subject to the requirements for automatic fire sprinkler systems upon the change of occupancy to a higher hazard level as defined by the Fire Marshal.
- C. Existing commercial and multifamily buildings which are remodeled, added to, or altered, including maintenance and repair activities, when the ~~valuation cost of such work within any 36-month period~~ ~~building permit valuation cost of such~~ exceeds \$75,000, shall have an automatic fire sprinkler system installed. The sprinkler system shall be connected with water service as determined by the Director of Public Works. Roof replacement costs will not be calculated into the \$75,000 limit. Determination of the building permit valuation of work completed shall proceed as follows:
1. As determined by the Mendocino County Planning and Building Department through their plan review process and completed on the application for any building permit.
 2. The Fire Marshal shall: (a) review the building permit, plans and building permit valuation at the time of the building permit application submittal; and (b) review the building permit, any applicable building permit application and plans upon any change in scope of work or modification to the building permit application to determine if the building permit valuation of the

CHAPTER 15.06 AUTOMATIC FIRE SPRINKLER AND ALARM SYSTEMS

Section

15.06.010 Purpose

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15.06.060 Annual inspection and maintenance

15.06.070 *[Reserved]*

15.06.080 Fire alarm systems defined and required

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15.06.010 PURPOSE.

A. The California Fire Code, California Code of Regulations, Title 24, Part 9, 2019 Edition, as modified and amended from time to time, establishes certain standards for automatic fire extinguishing systems. A copy of the code, in its latest form, is on file in the office of the Fire Chief.

B. The purpose of this chapter is to provide regulations establishing minimum standards for automatic fire sprinkler systems where the standards are not specifically covered by the California Fire Code. Where specific standards are provided by the California Fire Code and provide a greater degree of fire protection than the provisions of this chapter, those standards shall apply. In those cases where the California Fire Code does not provide specific standards, the terms of this chapter shall apply.

C. The intent of this chapter is to apply those fire protection standards which will provide the residents and property owners of the City the greatest degree of fire protection which is reasonable under the circumstances. All buildings are subject to the provisions of this chapter.

(Ord. 957, § 2, passed 01-13-2020)

15.06.020 DEFINITIONS IN GENERAL.

Definitions contained in the California Fire Code, California Code of Regulations, Title 24, Part 9, 2019 Edition, shall apply to this chapter unless specifically amended. Whenever any of the following names or terms are used in any of the compilations adopted by reference by this chapter such names or terms shall have the following meanings:

APPEAL AUTHORITY. As defined in Chapter 1.06.

BUILDING. Any building or group of buildings that requires a sprinkler under this chapter or the California Fire Code, California Code of Regulations, Title 24, Part 9, 2019 Edition.

BUILDING PERMIT VALUATION. The value of repairs, maintenance and remodel work as determined by the Mendocino County Planning and Building Department through their plan review process. The building permit valuation will include the total of all active building permits for the building at the same location, excluding separate permits to install automatic fire sprinkler systems.

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- B. Buildings in existence prior to the adoption of this code shall be subject to the requirements for automatic fire sprinkler systems upon the change of occupancy to a higher hazard level as defined by the Fire Marshal.
- C. Existing commercial and multifamily buildings which are remodeled, added to, or altered, including maintenance and repair activities, when the building permit valuation cost of such exceeds \$75,000, shall have an automatic fire sprinkler system installed. The sprinkler system shall be connected with water service as determined by the Director of Public Works. Roof replacement costs will not be calculated into the \$75,000 limit. Determination of the building permit valuation of work completed shall proceed as follows:
1. As determined by the Mendocino County Planning and Building Department through their plan review process and completed on the application for any building permit.
 2. The Fire Marshal shall: (a) review the building permit, plans and building permit valuation at the time of the building permit application submittal; and (b) review the building permit, any applicable building permit application and plans upon any change in scope of work or modification to the building permit application to determine if the building permit valuation of the

proposed work and all work completed on the building for all active building permits exceeds the \$75,000 threshold.

3. If the building permit valuation exceeds the threshold, the Fire Marshal shall require installation of fire sprinklers per this chapter prior to approval of the building permit or final inspection.

(Ord. 957, § 2, passed 01-13-2020)

15.06.050 EXEMPTIONS AND WAIVERS.

A. All 1- and 2-family dwellings and detached utility ("U" occupancy) buildings are exempted from the requirement to install automatic fire sprinkler systems.

B. The Fire Chief may grant exemptions for the automatic fire sprinkler system requirements for new construction by placing such conditions upon construction and/or use of the building so as to reduce the fire risk to a diminished level and by making a finding that the use of structure would present low or no fire risk. Examples:

1. Portable fire extinguisher or Class 2 standpipe installation;
2. Providing 1-hour resistive occupancy separation for equipment rooms;
3. Sprinklers undesirable because of nature of the contents in the room/area, the items being noncombustible or not exposed to other rooms/areas.

(Ord. 957, § 2, passed 01-13-2020)

15.06.060 ANNUAL INSPECTION AND MAINTENANCE.

The owner of any building in which automatic fire alarm systems or fire sprinkler systems have been installed shall have the systems inspected and maintained per NFPA 25 and shall provide a report of the inspection to the Fire Chief.

(Ord. 957, § 2, passed 01-13-2020)

15.06.070 [RESERVED].

(Ord. 957, § 2, passed 01-13-2020)

15.06.080 FIRE ALARM SYSTEMS DEFINED AND REQUIRED.

A. **FIRE ALARM SYSTEM** means all devices, controls, and circuits, together with the energy necessary to sound the alarm, electrically supervise the system, and activate the alarm bells, trouble bells or trouble signals.

- B. Every new building shall have installed an approved, automatically operated fire alarm system designed to warn all occupants simultaneously. In addition, the Fire Chief may require that this system be monitored in the manager's quarters and/or by a supervising station as defined in NFPA 72. The Fire Chief may also require the installation of a manually operated fire alarm system.
- C. All required fire alarm systems shall be installed in accordance with NFPA 72.
- D. Exceptions to this section are all "U" occupancies. These exceptions do not apply to 1- and 2-family dwellings within a building that otherwise requires an alarm system (i.e., commercial occupancy below a dwelling).

(Ord. 957, § 2, passed 01-13-2020)

15.06.090 VIOLATIONS.

Failure to comply with the requirements of this chapter is hereby declared to be unlawful and a public nuisance, and shall be subject to the remedies and penalties established by Chapter 6.12.

(Ord. 957, § 2, passed 01-13-2020)

The Fort Bragg Municipal Code is current through Ordinance 972, passed September 27, 2021.

Disclaimer: The city clerk's office has the official version of the Fort Bragg Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://city.fortbragg.com/>

City Telephone: (707) 961-2823

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is not limited to, all structural, electrical and mechanical systems as well as all interior and exterior finishes.

VALUATION. The value of repairs, maintenance and remodel work as determined by the Fire Marshal or a third-party cost estimator.

VALUE. The value of completing all repairs, maintenance and remodel work. This includes the cost of materials and labor and profit and overhead. The value is the price charged to a client for work completed by a licensed independent contractor.
(Ord. 916, § 3, passed 08-24-2015)

15.06.030 AUTOMATIC FIRE SPRINKLER SYSTEMS – REQUIRED.

A. All new buildings shall have an automatic fire sprinkler system installed, unless specifically exempted in accordance with § 15.06.050.

B. Buildings in existence prior to the adoption of this code shall be subject to the requirements for automatic fire sprinkler systems upon the change of occupancy to a higher hazard level as defined by the Fire Marshal.

C. Existing commercial and multifamily buildings which are remodeled, added to, or altered, including maintenance and repair activities, when the valuation cost of such work within any 36-month period exceeds \$75,000, shall have an automatic fire sprinkler system installed. The sprinkler system shall be connected with water service as determined by the Director of Public Works. Roof replacement costs will not be calculated into the \$75,000 limit. Determination of the valuation of work completed shall proceed as follows:

1. The applicant shall submit the value of all work on the sprinkler valuation form with the building permit.

2. The Fire Marshal shall: (a) review the form at the time of the building permit submittal, and (b) review the project at the time of the building permit final to determine if the valuation of the proposed work and all work completed within the past 3 years exceeds the \$75,000 threshold.

3. If the project valuation exceeds the threshold, the Fire Marshal shall require installation of fire sprinklers per this chapter prior to approval of the final inspection for the building permit.

4. If an applicant disputes the valuation of the project by the Fire Marshal, the applicant may appeal the project to the appeal authority.

5. During the appeal process the applicant shall provide: (a) a cost estimate, prepared by a licensed architect; and/or (b) all invoices and receipts from the project's licensed contractor; and/or (c) all material receipts and timesheets for the project to the appeal authority. In the event that the applicant is unable or unwilling to provide detailed cost data, or if the City determines that the data is provided by an entity with a conflict of interest with regard to the project, the applicant shall pay for a third party contractor/cost estimator (selected by the City) to prepare a valuation of the work.

6. In the absence of evidence proving that the value of the work is less than \$75,000, the appeal will be denied and fire sprinklers will be installed as required by the Fire Marshal prior to the final of the building permit for the project.

(Ord. 916, § 3, passed 08-24-2015)

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 3. If the building permit valuation exceeds the threshold, the Fire Marshal shall require installation of fire sprinklers per this chapter prior to approval of the building permit or final inspection.