



El Dorado County Fire Chiefs Association

April 5, 2010

El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

RE: AGENDA ITEM #31

2010 APR -5 AM 9:23

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BOARD OF SUPERVISORS
EL DORADO COUNTY

Dear Board Members:

I would like to respond on behalf of the El Dorado County Fire Chiefs Association regarding agenda item #31 of the April 6th proposed regular meeting of the El Dorado County Board of Supervisors.

The agenda item proposes to rescind the 02/28/2008 Board action ratifying the ordinances adopting the 2007 Title 24, California Code of Regulations, part 9, known as the 2007 California Fire Code with local amendments by the respective El Dorado County Fire Departments.

The El Dorado County Fire Chiefs association is adamantly opposed to this action!

There has been concern by members of the El Dorado County Economic Development Committee (EDAC) that the local adoption of CFC Sec. 503-Fire Apparatus Access Roads is more restrictive than the minimum access provisions adopted by the Board of Forestry in Title 14 California Code of Regulations otherwise known as the California Fire Safe Regulations. It is important to understand the origins and intent of these two codes. Title 14 California Code of regulations was adopted by the Board of Forestry as minimum standards for development in state responsibility areas and with regard to fire department access, requires a minimum 18 foot wide fire access road. This was based on the minimum road width needed for small wild land fire engines.

The El Dorado County Fire Departments have been adopting the language now found in the California Fire Code sec. 503 since 1995. Section 503 requires a minimum 20 foot wide fire access road and includes specific exceptions that allow for reduced road widths in areas where the topography is difficult, the homes are equipped with fire sprinklers, or the road serves no more than two single family dwellings.



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Section 503 is included in the model code published by the International Conference of Building Officials and although it was not adopted by the State Fire Marshal, it is widely adopted throughout the state by municipal fire agencies responsible for structure protection. The wider road width is needed to provide access for the larger structure fire engines required to provide all risk emergency services. Additionally the State adopts a 20 foot wide minimum road standard in Title 19 of the California Code of Regulations for all State fire Marshall regulated occupancies. EG. Schools, Assemblies, Jails, High Rises and residential care facilities

Health and Safety Code Sec. 13811 specifically states that local code amendments may be enforced on state responsibility lands when those lands are part of a fire protection district. Therefore there is no conflict established in enforcement as proposed by paragraph 1 page1 of the EDAC brief.

Health and Safety Code sec . 13869 states “A district may adopt a fire prevention **code** by reference pursuant to Article 2 (commencing with Section 50022) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government **Code**. For that purpose, the district board shall be deemed a legislative body and the district shall be deemed a local agency”.

Health and Safety Code section 13869.7 states that fire districts that have adopted more stringent “Building Standards” than the “Building Standards” adopted by the State, must be submitted for ratification to the local city or county where the ordinances is to take place. It also requires the more stringent “Building Standards” to be based on “Findings of Facts” based on local climatic, geological and topographical features. The key item to note is that the requirement for ratification by the board is for “Building Standards”.

EDAC acknowledges in their brief that fire department access requirements are “Non- Buildings Standards” because they are not currently adopted by the State, in the Building Standards Code. Therefore if this universally adopted language were to be rescinded from the county fire code adoption it could lead to fire agencies individually adopting fourteen different access standards. This would increase confusion and is exactly why the fire agencies adopted universal code language for use throughout the county.

It has also come to my attention that the California State Fire Marshal’s office submitted the 2010 edition of the California Fire Code to the State buildings Standards Commission which was adopted on January 12, 2010. Unlike the 2007 edition of the California Fire Code, the 2010 edition of the Fire Code adopts the entire chapter five provisions, including section 503 requiring 20 foot wide fire accesses. Because this section has been adopted by the State Building’s Standards



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Commission it becomes law throughout the state regardless of local code adoption on January, 1, 2011.

There are some other significant adverse consequences to rescinding the local code adoptions.

As previously stated, the Health and Safety Code requires amendments to "building standards" be ratified by the county. The 2007 fire code adoption includes our local fire sprinkler and fire alarm systems requirements. These local amendments are "Building Standards" and have been in place in one form or another since 1986. The amendment requires all new commercial buildings less than 3600 square feet to be equipped with a fire detection system and all new commercial buildings over 3600 square feet to be equipped with a Fire Sprinkler System.

These systems give the fire departments early notification of fires, keep fires under control until suppression crews arrive and notifying the public to evacuate the structure. The 3600 square feet requirement is consistent with the City of Folsom, City of Placerville and Sacramento County to name a few. These systems are regarded in the industry as having the greatest impact on the reduction of life and property loss. To lose these provisions would be a significant step backward in providing for public safety and reducing the economic loss from catastrophic fires in large commercial buildings

There is little justification to rescinding the 2007 fire code adoption ratification in an effort to reduce road widths when this standard has been in place since 1995 and will become State Law on January 1, 2011. Additionally the loss of the Sprinkler and Alarm System requirements would be a significant reduction in public safety and will result in larger fire losses in un-sprinkled commercial buildings.

On behalf of the El Dorado County Fire Chiefs Association, we urge you to consider the adverse impact the loss of our fire code adoption would have to public safety and the ability of the local fire agencies to mitigate emergencies.

Sincerely,


Thomas M. Keating, President
El Dorado County Fire Chiefs Association
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