

## ATTACHMENT 3

### EXHIBIT “A”

#### AMENDING MANTECA MUNICIPAL CODE CHAPTER 15.24 OF TITLE 15 (BUILDINGS AND CONSTRUCTION) TO READ AS FOLLOWS

##### Chapter:

15.24 Fire Code

##### **15.24 Fire Code**

##### **15.24.010 Adoption—Copies on file.**

This chapter is adopted by the Manteca city council for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain codes, standards, and appendixes known as the 2019 California Fire Code, and Appendix Chapters B, BB,C, CC and D, as published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento California 95833-2936, and incorporates by adoption the 2018 International Fire Code at the International Code Council, is hereby adopted as the fire code of the city of Manteca, in the state of California regulating and governing the safeguarding 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 and property in the occupancy of buildings and premises as herein provided. Not less than one copy has been filed in the office or the clerk of the city and the same adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance codified in this chapter shall take effect, the provision hereof shall be controlling with the limits of the city. (Ord. O2019-15 § 1)

##### **15.24.020 Definitions.**

For the purpose of this chapter, the following words and phrases shall have the meanings set out in this section:

A. Whenever the words “International Fire Code” are used in this chapter it shall mean the California Fire Code, Title 24, [California Code of Regulations](#), Part 9, incorporating the 2021 Edition of the International Fire Code.

B. Whenever the words “chief” or “fire code official” are used in the International Fire Code, it shall mean the fire chief or their designated representatives.

C. Whenever the words “municipality” or “jurisdiction” are used it shall mean the city of Manteca.

#### **15.24.030 Office of the Fire Marshal—Established—Duties.**

- A. The California Fire Code shall be enforced by the office of the fire marshal in the fire department of the city which is established and which shall be operated under the supervision of the chief of the fire department.
- B. The officer in charge of the office of the fire marshal shall be appointed by the fire chief on the basis of his or her qualifications.
- C. The office of the fire marshal is responsible for community risk reduction, including identifying and prioritizing local risks to reduce the occurrence and impact thereof.
- D. The chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary. The chief of the fire department shall recommend to the city manager of the city the employment of technical inspectors, when deemed necessary. The contract inspector shall be a qualified person who shall demonstrate his or her competence to the satisfaction of the fire marshal, for inspection or design review of a particular type of construction, operation, fire extinguishing or detection system or process. (Ord. O2019-15 § 1)

#### **15.24.040 Amendments made in the California Fire Code.**

The California Fire Code is amended and changed in the following respects:

##### **SECTION 101-SCOPE AND GENERAL REQUIREMENTS**

*Added section [A] 101.1 to read*

**[A] 101.1 Title.** These regulations shall be known as the *Fire Code* of the city of Manteca, hereinafter referred to as “this code”.

##### **SECTION 102-APPLICABILITY**

*Added sections [A] 102.5.1.1 and [A] 102.7.3 to read*

**[A] 102.5.1.1** The fire code official is granted the authority to enforce reasonable measures to protect the domestic water supply where applicable to the installation of fire protection systems.

**[A] 102.7.3 Local Standards.** The fire code official is granted the authority to develop and enforce local standards as deemed necessary for the effective and consistent enforcement of this code. The fire code official has the authority to amend these standards when necessary to confirm with best practices and changes in local and state law.

##### **SECTION 105-PERMITS**

*Added section [A] 105.1.6.2 and amended Section [A] 105.2 to read*

~~**[A] 105.1.6.2 Annual Operational Fire Permits.** All fees for annual operational permits under the provision of section 105.6 of this Chapter shall be due and payable at the time of commencement of occupancy and said permit shall expire no later than twelve (12) months after the date of issuance. Fees for renewal of such permits shall be due and payable upon the expiration of the prior permit. No permit fee paid hereunder shall be refundable by reason of cessation of occupancy during the permit period. Every annual permit fee that is not paid within a period of thirty (30) days from the time the same became due is hereby declared to be delinquent and a penalty of 100% or a maximum fine of five hundred (\$500.00) dollars shall be added to said fee.~~

**[A] 105.2 Application.** Applications for a permit required by this code shall be made to the fire code official in such form and detail as prescribed by the fire code official. Applications for permits shall be accompanied by such plans as prescribed by the fire code official. Said application shall be accompanied by a fee in the amount listed in the city of Manteca fee schedule.

## ~~SECTION 107-FEES~~

*Added Section [A] 107.7 to read*

~~**[A] 107.7 Re-inspection Fees.** A re-inspection fee may be assessed for each inspection or re-inspection when any portion of work for which inspection is called is not complete or when required corrections have not been completed. This subsection is not to be interpreted as requiring re-inspection fees upon initial rejection of work for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before work is ready for the inspection or re-inspections or if hazards are not abated in the required timeframe.~~

## ~~SECTION 111-VIOLATIONS~~

*Added Sections [A] 111.1, [A] 111.1.2, [A] 111.1.3, [A] 111.1.4, [A] 111.1.5, [A] 111.1.6, [A] 111.1.7 and amends Section [A] 111.4 to read*

~~**[A] 111.1.1 Abatement of Fire and Life Safety Hazards by Fire Code Official.** If any person fails to comply with the orders of the fire code official, or if the fire code official is unable to locate the owner, operator, occupant or other person responsible within a reasonable time, the fire code official or any authorized representative may take such steps as are necessary to abate the hazard for the protection of the public safety. In no event is notice necessary before abatement, when the hazard is a clear and present danger to the public welfare. All costs related to such abatement shall become a lien on the subject property.~~

~~**[A] 111.1.2 Criminal or Civil Penalty for Violation; Payment of Funds To Account.** Pursuant to the City's prosecutorial discretion, the City may enforce violations of~~

~~the provisions of this code in any manner authorized by this section or by any other law, including but not limited to issuance of criminal citations, referral to the District Attorney, referral to other appropriate agencies, administrative actions and civil actions.~~

~~**[A] 111.1.3 Infractions/Misdemeanors.** Any person who violates any of the provisions of this code, any of the provisions of any written authority of the City Manager or his or her duly authorized agents and representatives or any provision of any permit issued pursuant to this code shall be guilty of an infraction/misdemeanor. Each and every day, or any part thereof, during which any such violation is committed, continued or allowed shall be a separate offense.~~

~~**[A] 111.1.4 Prosecution.** Every violation of this code shall be a misdemeanor; provided, however, that where the City Attorney or his or her duly authorized agents has determined that such action would be in the best interest of justice, the City Attorney may specify in the accusatory pleading, citation or amendment thereto that the violation shall be prosecuted as an infraction.~~

~~**[A] 111.1.5 Penalty for Infraction.** Each and every violation of this code, which is deemed an infraction, is punishable by:~~

- ~~1. A fine not exceeding two hundred dollars (\$200.00) for the first violation;~~
- ~~2. A fine not exceeding five hundred dollars (500.00) for the second violation of the same or similar provision within one year period; or~~
- ~~3. A fine not exceeding one thousand dollars (\$1000.00) for each additional violation, after the second, of the same or similar provision of this Chapter within a one year period of the first violation.~~

~~**[A] 111.1.6 Penalty for Misdemeanor.** Each and every violation of this code, which is deemed a misdemeanor, is punishable by a penalty of not more than one thousand dollars (\$1,000.00) or by imprisonment in the City or County jail for a period not exceeding six (6) months, or, by both penalty and imprisonment.~~

~~**[A] 111.1.7 Civil Penalties.** Any person who intentionally, accidentally or negligently violates any provision of this code, any written authority of the fire code official or his or her duly authorized agents and representatives, or any provision of any permit issued pursuant to this code may be civilly liable to the City in the sum of not less than one hundred dollars (\$100.00) but not to exceed one thousand dollars (\$1,000.00) per day for each day in which such violation occurs or continues. The City may petition the municipal or superior court to impose, assess, and recover such sums. The civil penalty provided in this Section excludes inspection costs and abatement costs, is cumulative and not exclusive, and shall be in addition to all other remedies available to the City under state and federal law and local ordinances. Funds collected pursuant to this Section shall be paid to the Fire Prevention Fund.~~

~~**[A] 111.4 Violation Penalties-Administrative Enforcement Provision.** 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 a of a permit or certificate~~

~~used under provision of this code shall be guilty of violation of this code and fines consistent with Section [A]109.1.5 shall be assessed under the provisions and authority granted by section 1.10. Administrative Enforcement Provisions of the Manteca Municipal Code.~~

## SECTION 113-STOP WORK ORDER

~~Amended Section [A] 113.4 to read~~

~~**[A] 113.4 Failure to comply.** Any person, who shall continue any work having been served with a stop work order, except such work as that the person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of \$1,000 dollars.~~

## SECTION 503-FIRE APPARATUS ACCESS ROADS

*Added Sections 503.1.4, 503.3.1, 503.3.2 and 503.6.1 to read*

**503.1.4 Adjacent access.** No source of access from lands adjoining a property to be developed shall be considered unless there shall be obtained in writing, the irrevocable and unobstructed right to use same.

**503.3.1 No parking—Fire lane identification.** When required by the Fire Code Official, one or more of the following methods shall be used to identify fire apparatus access roads and prohibit their obstruction: The entire length of the road shall be marked by approved signs posted at intervals no greater than one hundred feet, which identify the road as a "Fire lane" and state the prohibition of parking therein, "NO PARKING-FIRE LANE." The sign shall also warn that vehicles in violation are subject to citation or removal. Such signs shall be posted in a permanent manner at a height no greater than nine feet and no less than seven feet. Signs shall be 12" X 18" in size with letters not less than one inch in height and meet the State of California specifications for reflectivity, etc.; or

Standard curbs bordering fire access roads shall have the words "NO PARKING FIRE LANE" painted upon their horizontal and vertical surfaces at intervals of not more than twenty-five feet. Letters shall be of block style, minimum five (5) inches in height with a stroke of not less than 3/4-inch, and shall be white on a red background. The background shall extend at least six inches beyond the first and last letters of the text.

Violation of posted "FIRE LANES" as described in California [Vehicle Code](#) Section 22500.1 will allow for the immediate removal as set forth in California [Vehicle Code](#) Section 22651 for any vehicle parked or left standing in an area identified as a fire lane.

**503.3.2 Fire Lane Established.** The fire code official shall have the authority to establish administrative procedures for the establishment of fire lanes; fire lanes shall be properly recorded on the property as determined by the requirements of the county recorder or other jurisdiction having authority..

**503.3.1 Access entrances with locked gates.**

Access gates, barricades or barriers across roads to private or gated communities, multi-family residential or single family residential subdivisions with more than 8 units shall provide emergency access by an approved preemption traffic control/gate access system as described in 4 and 5 below. All other access gates shall be locked in a manner which allows for emergency access by one of the following methods:

1. A lock or chain that is not case hardened and immediately available to cut with Fire Department bolt cutters.
2. A lock with the key available in a Fire Department approved "lock box" installed as prescribed by the Fire Chief.
3. An opening device located in an approved "lock box" installed as prescribed by the Fire Chief.
4. A preemption traffic control/gate access system that will operate upon an optical signal originating from an emergency vehicle.
5. Automatic gates shall have a battery back-up or manual mechanical disconnect readily accessible to emergency personnel in case of power failure.

#### **SECTION 505-PREMISES IDENTIFICATION**

*Added Section 505.1 and added Sections 505.1.2 and 505.3 to read*

**505.1. Address identification.** Where a building is set back from the street or road fronting the property and where addresses may not be clearly identifiable due to distance from the street or roadway, landscape and architectural appendages, or other obstructions, address posting shall be required both at the street driveway serving such building and on the building. The approved minimum size dimensions of the numbers shall be as specified by Table 1. The fire code official is authorized to increase the size of address identification where deemed necessary.

**Table 1**

<b>Distance to Building Address Measured From Back of Walk</b>	<b>Size Height</b>
25 Feet	4 inches
26-40 Feet	6 inches
41-55 Feet	9 inches
Over 55 Feet	12 inches

**505.1.2 Multi unit buildings or facilities.** A monument sign shall be placed at the main entrance to the complex listing specific unit numbers, assigned to specific buildings.

1. Each building shall have a durable, all-weather sign listing the building designator and the units contained within.

2. Building address numbers shall be plainly visible from the street/emergency vehicle access lanes. Said numbers shall contrast with their background
3. Individual units shall be numbered consecutively according to their floor. All units on the first floor shall be in the 100 series, second floor in the 200 series and third floor units in the 300 series.

**505.3 Annexation or change of address**-Where an existing building is annexed into the city of Manteca, or a change of address occurs; no more than 45 days shall pass until the building is identified with the City Address in compliance with section 505..

## SECTION 506-KEY BOXES

*Added Sections 506.3 and 506.3.1 to read*

**506.3. Hazardous Materials Management Plan Box.** When a business which handles hazardous materials is required to complete a Hazardous Materials Management Plan (HMMP), the Fire Code Official may require the installation of a secured box at the primary facility entrance or the fire control room which contains a copy of the Hazardous Materials Management Plan. This box shall be waterproof and capable of holding the document in a rolled condition without folding. Other characteristics of the box shall be approved by the Fire Code Official.

**506.3.1 Acute Hazardous Material.** Businesses which handle acutely hazardous material as defined in Section 25532 of the [Health and Safety Code](#) shall install a Hazardous Material Management Plan Box in accordance with this section.

## SECTION 507-FIRE PROTECTION WATER SUPPLIES

*Added Section 507.3.1 to read:*

**507.3.1 Required fire flow for buildings other than one and two family dwellings, group R-3 and R-4 buildings and townhouses.** Table b105.2 shall allow a reduction in fire flow equal to a total of 40% of the value in Table B105.1(2)a; minimum fire flow for all buildings shall not be less than 1,500 gpm.

*Added Section 507.5.7 to read:*

**507.5.7 Fire hydrant specification.** The fire hydrant specification for the city of Manteca shall be as follows: A.W.W.A. approved wet barrel hydrant with 1" pentagon control valve heads, one 4 1/2" outlet and one 2 1/2" outlet (hydrants with two 2 1/2" outlets and one 4 1/2" outlet may be required for a high fire flow demands). Hydrants having a 4 1/2" outlet shall have that outlet front the street or access way used by fire equipment.

*Added Section 507.5.8 to read:*

**507.5.8 Hydrants shall be required on both sides of the street.** Whenever one or more of the following conditions exist:

- 1) Streets have median center dividers that make access to hydrants difficult, cause time delays, or create undue hazard or both.
- 2) Major arterials when there are four lanes or more of traffic, or the width of street is in excess of 60 feet.
- 3) The existing street shall be widened or have a raised median center divider in the future, pursuant to the General Plan for the city of Manteca.

## SECTION 603-ELECTRICAL EQUIPMENT, WIRING, AND HAZARDS

*Added Section 603.11 to read:*

**603.11 Exterior Shut Off.** All buildings shall have main electrical shut off accessible on the exterior of the structure. This may be accomplished by placing the shut off on the building exterior, an electrical room with a door leading directly to the exterior or a remote electrical (shunt) switch on the building exterior. Breakaway locks are allowable for security.

## SECTION 605-FUEL FIRE APPLIANCES

*Added Section 605.9.1 to read:*

**605.9.1 Gas Service Disconnect.** All buildings providing natural gas service through more than one (1) service meter or through multiple service connections shall have individual gas shutoffs identified in a manner approved by the Fire Chief indicating areas or units served.

## SECTION 901-GENERAL

*Added Sections 901.4.8:*

**901.4.8 Installer qualifications and responsibilities.** 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.

1. The authority having jurisdiction 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.

*Added Section 901.11*

**901.11 Nuisance Alarms.** Alarms caused by mechanical failure, malfunction, improper installation or lack of proper maintenance shall be considered violations of this code after 3 separate nuisance alarms are received by the Fire Department in a 1 one-year time frame; violations and fines shall be administered by any of the means provided in this code. Fees shall be assessed per the provision listed in **[A] 111.1.5 Penalty for Infraction**

## SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

*Amended Section 903.2 to read:*

**903.2 Where required.** Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.19 whichever is more restrictive. For the purpose of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the [California Building Code](#) and shall be without openings or penetrations. Automatic sprinkler systems shall be installed and maintained in an operable condition in the following locations:

1. Every building hereafter constructed in which the total floor area is 6000 sq. ft. or more, including overhangs.
2. Every building hereafter constructed that create conditions described in Sections 903.2.1 through 903.2.21.
3. Every building hereafter constructed of three or more stories as defined in the [California Building Code](#).
4. Any change in the character of occupancy or in use of any building with a building area equal to or greater than 6,000 which in the opinion of the Fire Code Official or Building Code Official place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitute a greater degree of life safety or increased fire risk
  - a. Life Safety – Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities with non-ambulatory.
  - b. Fire Risks – High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).
5. This section shall not preclude or alter the intent of the [California Building Code](#) for Fire Resistive Substitution.
6. Every existing building that expands its physical size by 50% or more shall provide automatic fire sprinklers throughout the entire building, if the total square footage of the building after expansion exceeds 6,000 sq. ft or creates a condition described in Section 903.2.1 through 903.2.21.
7. Every existing building that expands its physical size by less than 50% and does not create a condition described in section 903.2.1 through 903.2.21 shall only be required to provide fire sprinklers for the new addition.

## SECTION 906 PORTABLE FIRE EXTINGUISHERS

*Added Section 906.1.1 to read:*

**906.1.1 Rental units—Fire extinguishers.** All rental units including hotels, motels, apartments and rooming houses where the principal function of which is to provide guest rooms, shelter or space at a fixed rental for the accommodation of the public and consisting of at least five rental units shall have portable fire extinguishers installed according to the requirements of the applicable California Code of Regulations, Title 19, Division 1, section 3.29 (a) through (d). All nonconforming leased and/or rental units as listed above shall be made to conform to the requirements of this section, or their use shall be discontinued or abated.

Exception: R-1 and R-3 occupancies as defined by the California Building Code shall be exempt from the fire detection requirements of this section.

## SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

*Amended Section 907.2. to read:*

**907.2.—Where required Automatic fire detection system.** A Fire Department approved automatic fire detection system installed in accordance with this code and NFPA 72 shall be provided in accordance with Sections 907.2.1 through 907.2.23 or:

1. Every building hereafter constructed in which the total floor area is between 3,000 and 6,000 sq. ft.

2. Every building hereafter remodeled when the cost of remodeling exceeds \$100,000 and the total floor area is between 3,000 and 6,000 sq. ft. The \$100,000 valuation shall be based on building valuation data published by the International Conference of Building Officials within a 12 month period.

Not fewer than 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 waterflow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.

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 open to the public.

## SECTION 3304 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

*Amended Section 3305.4 to read:*

**3305.4 Open burning—Construction Sites.** No fire shall be permitted to burn on any construction site for any purpose. This section is not to prohibit the use of devices or tools producing a flame when used in an approved manner and necessary for the construction of the building.

#### SECTION 5003-HAZARDOUS MATERIALS-GENERAL REQUIREMENTS

*Amended Section 5003.3.1.4.1 to read:*

**5003.3.1.4.1 Deposits of hazardous materials; cleanup or abatement; liability for costs.** The Fire Department is authorized to cleanup or abate the effects of any hazardous material deposited upon or into property or facilities of the City; and any person or persons who are responsible for such deposit shall be liable for the payment of all costs incurred by the Fire Department as a result of such cleanup or abatement activity. The responsibility is not conditioned upon evidence of willfulness or negligence of the party handling the hazardous materials, whether sudden or gradual. The remedy provided by this section shall be in addition to any other remedies provided by law.

For purposes of this section “hazardous materials” shall be defined as any substances or materials in a quantity or form which, in the determination of the Fire Chief or his or her authorized representative, poses an unreasonable and imminent risk to the life, health or safety of persons or property or to the ecological balance of the environment, and shall include, but not be limited to, such substances as explosives, radioactive materials, petroleum or petroleum products or gases, poisons, etiologic (biologic) agents, flammables and corrosives.

For purposes of this section, costs incurred by the Fire Department shall include, but shall not necessarily be limited to the following: actual labor costs of City personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation; cost of materials obtained directly by the City; and cost of any contract labor and materials.

The authority to recover costs under this section shall not include actual fire suppression services which are normally or usually provided by the Fire Department.

#### SECTION 5601-EXPLOSIVES AND FIREWORKS-GENERAL

*Amended Section 5601.2 to read:*

**5601.2 Permit Required, Explosive and Blasting Agents** The storage of explosives and blasting agents is prohibited within the City limits, except in areas zoned M-2 as such zone is defined in the zoning regulations of the city.

#### SECTION 5704-STORAGE OF FLAMMABLE AND COMBUSTIBLE LIQUIDS-GENERAL

*Amended Section 5704.1 to read:*

**5704.1 General.** The limits referred to in Section 5704 of the California Fire Code in which the storage of flammable or combustible liquids is restricted is established as follows: within the boundaries of the city of Manteca:

Exception. The fire chief may allow aboveground storage of flammable or combustible liquids, provided adequate clearances have been provided, in any agricultural zoned area, any general commercial zone, any community commercial zone where the use is automotive, farm equipment or recreational vehicle sales and service, any light or heavy industrial zoned area, and for any facility, irrespective of zone, which requires as part of its licensing or certification that they have a secondary power supply and the storage is:

1. An aboveground flammable/combustible liquid storage vault, designed as a special enclosure as specified in Section 2306.2.6 of the California Fire Code, with a maximum one thousand one hundred gallon individual or three thousand three hundred gallon aggregate capacity. They shall be prohibited within ten feet of a property line or building wall;
2. Class II combustible liquids in vessels exceeding one hundred fifty gallons, with a maximum capacity of five hundred gallons individual or five hundred gallons aggregate total capacity. Tanks are prohibited within one hundred fifty feet of all A, E, or R occupancies, as determined by the California Building Code. Tanks shall be enclosed on at least three sides by four hour fire resistive construction, as determined by the California Building Code. The height of the enclosure shall be eight feet or one-half the height of the tank whichever is greater. The remaining side is to be fenced to a height of at least eight feet. Openings on exterior walls of adjacent buildings shall not be within twenty feet of the enclosure;
3. Class III combustible liquids in vessels exceeding one hundred fifty gallons, with a maximum capacity of five hundred gallons individual or five hundred gallons aggregate total capacity. Tanks are prohibited within one hundred fifty feet of all A, E, or R occupancies as determined by the California Building Code;
4. The fire chief may allow a maximum aggregate capacity of twenty thousand gallons of aboveground flammable or combustible liquid storage for any use conducted in an area zoned manufacturing or industrial (M-1, M-2, or B.I.P.), or institutional occupancies mandated by the state of California to provide emergency power, provided that:
  - a. Capacity of any single storage tank shall not exceed ten thousand gallons;
  - b. Tanks shall be prohibited within one hundred fifty feet of all A, E, or R occupancies as determined by the California Building Code;
  - c. All tanks permitted by this section shall be designed and constructed in conformance with requirements set forth of the California Fire Code Section 5704.2.7, and
  - d. All tanks in excess of one thousand one hundred gallons shall be suitably protected;

~~5. All tanks shall be installed in conformance with all provisions of the California Fire Code. All nonconforming aboveground flammable or combustible liquid tanks shall be made to conform to the requirements of this section or their use shall be discontinued or abated.~~

## ~~SECTION 6104-LOCATION OF LP-GAS CONTAINERS~~

*~~Amended Section 6104.2.1 to read:~~*

**~~6104.2 Maximum capacity within established limits.~~** ~~The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are established as follows, in the boundaries of the city of Manteca.~~

~~Exception. The fire chief may allow the storage of liquefied petroleum gas, provided that proper distances to exposures and on-site fire protection is provided and the storage is:~~

- ~~1. A maximum five hundred gallon individual or five hundred gallon aggregate capacity for facilities requiring a secondary power supply;~~
- ~~2. A maximum five hundred gallon individual or five hundred gallon aggregate capacity in a low density populated area where normal underground natural gas services are not available;~~
- ~~3. A maximum five hundred gallon individual or five hundred gallon aggregate capacity at any business or commercial establishment;~~
- ~~4. Service Stations. A maximum one thousand two hundred gallon individual or one thousand two hundred gallon aggregate capacity for automotive service stations;~~
- ~~5. Industrial. A maximum one thousand two hundred gallon individual or one thousand two hundred gallon aggregate capacity in heavy and light industrial area.~~
- ~~6. Distribution Center. A maximum of thirty thousand gallon individual or ninety thousand gallon aggregate capacity of stationary storage. Storage shall be prohibited within five hundred feet of a residence, apartment or hotel complex, educational facility, hospital or care facility.~~
- ~~7. A maximum of three hundred thousand gallons aggregate storage on any site. Storage shall be prohibited within five hundred feet of any residence, apartment or hotel complex, educational facility, hospital or care facility.~~
- ~~8. All storage listed in subsections (B)(4)(a) and (4)(b) shall be limited to areas classified as distribution centers within heavy industrial zones as listed in this code.~~

~~Nonconforming Use. All nonconforming storage of liquefied petroleum gas shall be made to conform to the requirements of this section or their use shall be discontinued or abated.~~

## **15.24.050 Appeals.**

Whenever the fire code official disapproves an application or refuses to grant a permit applied for or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the chief to the city council within thirty days from the date of the decision. (Ord. O2019-15 § 1)

**15.24.060 New materials, processes or occupancies which may require permits.**

The city manager, the fire chief and the fire marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the code. The fire prevention officer shall post such list in a conspicuous place in his or her office and distribute copies thereof to interested persons.