

# Tracy Rural County Fire Protection District

## Board of Directors

John Muniz  
John Vieira  
Pete Reece  
Matthew Kopinski  
Jeff Ramsey

Raychel Jackson, Clerk of the Board  
1820 W. Kettleman Lane, Suite F  
Lodi, CA 95242  
(209) 834-7269  
raychel.jackson@tracyruralfire.org  
www.tracyruralfire.org

## Board of Directors – Regular Meeting Agenda Tuesday, January 19, 2021 at 1:00 PM PST

To join the meeting via GoToMeetings:

<https://global.gotomeeting.com/join/809134141>

By phone: +1 (408) 650-3123

Access Code: 809-134-141

Due to COVID-19, and in accordance with California Executive Orders N-25-20 and N-29-20, ***the District Board meeting will not be physically open to the public.*** To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting by accessing clicking the link above and may provide public comment by sending comments to the Board Clerk via email at [raychel.jackson@tracyruralfire.org](mailto:raychel.jackson@tracyruralfire.org). Please make sure all public comments are submitted prior to 1:00 p.m. January 19, 2021. Comments will then be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to Chair's discretion.

### 1. Roll Call and Pledge of Allegiance

### 2. Public Comment

Please, give your name, entity (if any), and address as well as what agenda item you wish to speak about to the Clerk of the Board so that your comments may be heard at the appropriate time. Comments must be limited to 3 minutes.

### 3. Consent Calendar

- 3.1 Adoption of the January 19, 2021 Agenda
- 3.2 Approval of the December 15, 2020 Minutes

### 4. Regular Agenda

- 4.1 Approve January Warrant List
- 4.2 December Monthly Financials
- 4.3 Resolution 2021-01 Rescinding Resolution 2020-20 Authorizing the Necessity of Eminent Domain
- 4.4 Mid-Year Budget Report for Fiscal Year 2020-2021
- 4.5 Report of San Joaquin County Fire District Grant Program (CARES ACT)
- 4.6 Board Ethics Training (schedule date)
- 4.7 Fire District Administrative Office
- 4.8 Approve Resolution 2021-02 to Change the Regular Meeting Date and Time of the Tracy Rural County Fire District Board of Directors
- 4.9 Public Hearing of TRFPD Ordinance No. 2021-01 2019 California Fire Code with Amendments

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## 5. Public Comment

For any items not on the agenda.

## 6. Board Member Comment

For any items not on the agenda and requests for future agenda items. No action will be taken on any questions or matters raised by the Board at this time

## 7. Closed Session

## 8. Adjournment until Next Regular Session – February 16, 2021

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## Board of Directors – Closed Session Agenda Tuesday, January 19, 2021 Following the Regular Meeting

### 1. Roll Call

### 2. Public Comment

Board will vote on limiting total time and individual times per Brown Act §54954.3. (b) (1). At this time, members of the public may only comment on an item appearing on the agenda. Please adhere to the following when addressing the Board: • Individual comments will be limited to 3 minutes or less. • Comments should be directed to the Board as a whole and not directed to individual Board Members

### 3. Adjourn to Closed Meeting

a. Consult with legal counsel regarding existing litigation (*Tracy Rural Fire District v. San Joaquin Local Area Formation Commission*, San Joaquin Superior Court Case No. 2019-9687). One case. Pursuant to California Government Code section 54956.9.

b. Consult with legal counsel regarding existing litigation (*Tracy Rural Fire District v. Ronnoco Properties*, San Joaquin Superior Court Case No. 2020-2833). One case. Pursuant to California Government Code section 54956.9.

c. Consult with legal counsel regarding existing litigation (*Tracy Rural Fire District v. San Joaquin County EMSA*, San Joaquin Superior Court Case No. 2020-4468). One case. Pursuant to California Government Code section 54956.9.

### 4. Reconvene to Regular Meeting

### 5. Report out of Closed Meeting

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## **Board of Directors – Regular Meeting Minutes Tuesday, December 15, 2020 1:00 PM**

### **1. Roll Call and Pledge of Allegiance**

Director Muniz called the meeting to order at 1:09 pm. Directors Muniz, Reece, and Vieira present. Director Kopinski arrived at 1:18 p.m.

### **2. Public Comment**

No public comment.

### **3. Consent Calendar**

3.1 Adoption of the December 15, 2020 Agenda

3.2 Approval of the November 17, 2020 Minutes

3.3 Approval of the December 4, 2020 Special Meeting Minutes

- Motion was made by Director Reece, seconded by Director Vieira to adopt the Consent Calendar. Motion passed unanimously.

### **4. Regular Agenda**

4.1 Approve December Warrant List

- Motion was made by Director Vieira, seconded by Director Reece to approve the December Warrant List. Motion passed unanimously.

4.2 November Monthly Financials

- Motion was made by Director Reece, seconded by Director Kopinski to approve the November Monthly Financials. Motion passed unanimously.

4.3 Resolution 2020-25: Board Member Appointment to Tracy Rural County Fire Protection District

- Motion was made by Director Reece, seconded by Director Vieira to adopt Resolution 2020-25. Motion passed unanimously.
- Oath was administered to Mr. Jeff Ramsey

4.4 Board Member Appointment of Chair and Vice Chair to TRFPD

- Motion was made by Director Vieira, seconded by Director Kopinski to appoint John Muniz as chairperson and Pete Reece as vice chairperson. Motion passed unanimously.

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## 4.5 Board Member Appointment of Representative to JPA Board

- Motion was made by Director Vieira, seconded by Director Kopinski to appoint Jeff Ramsey and Pete Reece as JPA Representatives. Motion passed unanimously.

## 4.6 Accept FY 19/20 Audit Report by Blomberg & Griffin

- Motion was made by Director Reece, seconded by Director Vieira to accept the FY 19/20 Audit Report. Motion passed unanimously.

## 4.7 Introduce & Waive First Reading of the Tracy Rural Fire Protection District Ordinance No. 2021-01 2019 California Fire Code with Amendments & Set Public Hearing Date

- Motion was made by Director Muniz, seconded by Director Vieira to waive the first reading of Ordinance No. 2021-01 and set public hearing date for January 19, 2021. Motion passed unanimously.

## 5. Public Comment

Chief Bradley provided a COVID update regarding the Authority's first firefighter with COVID; Engine 91 moved to the Admin building during COVID; hospitals will receive COVID vaccines this week.

## 6. Board Member Comment

Director Muniz thanked the Board for appointing him as chairperson.

## 7. Closed Session

Chairperson Muniz called the closed session to order at 2:30 pm.

## 8. Meeting Adjournment at 3:06 pm.

No action taken.

Signature: *Raychel Jackson*

Raychel Jackson, Clerk of the Board  
Tracy Rural County Fire Protection District

Date: January 8, 2021

TRACY RURAL COUNTY FIRE PROTECTION DISTRICT -- 49501 -- January 19, 2021

GENERAL OPERATING FUND	AMOUNT	ACCOUNT	VENDOR #
JOHN MUNIZ 11931 MOUNTAIN VIEW ROAD TRACY, CA 95376	\$ 500.00	6226010900	. 0000027815
MATT KOPINSKI 33969 S. KOSTER ROAD TRACY, CA 95304	\$ 200.00	6226010900	See W9
PETE REECE 30421 KOSTER ROAD TRACY, CA 95304	\$ 300.00	6226010900	. 0000010849
JEFF RAMSEY 27722 S. Bird Lane TRACY, CA 95304	\$ 200.00	6226010900	0000098549
JOHN VIEIRA 19700 SOUTH LAMMERS ROAD TRACY, CA 95304	\$ 200.00	6226010900	. 0000010852
BOWMAN & BERRETH, LLP 1820 WEST KETTLEMAN LANE, SUITE F LODI, CA 95242	\$ 2,507.88 \$ 609.00 \$ 16,592.16	6221005100 6221005120 6221005130	. 0000078394 GOVERNANCE LAFCO
Total	\$ 19,709.04		
Special District Financial Services, LLC 1820 W. Kettleman Lane, Suite F Lodi, CA 95242	\$ 4,000.00	6221023800	. 0000097699
<b>TOTAL FOR GENERAL OPERATING FUND</b>	<b>\$ 25,109.04</b>		

TRACY RURAL COUNTY FIRE PROTECTION DISTRICT -- 49591 -- January 19, 2021

CAO RESERVE FUND 49591	AMOUNT	ACCOUNT	VENDOR #
<b>TOTAL CAO FUND 49591</b>	\$ -		

**SIGNATURES OF BOARD MEMBERS**

\_\_\_\_\_  
JOHN MUNIZ, CHAIRMAN

\_\_\_\_\_  
JOHN VIEIRA, DIRECTOR

\_\_\_\_\_  
MATT KOPINSKI, DIRECTOR

\_\_\_\_\_  
PETE REECE, VICE CHAIR

\_\_\_\_\_  
JEFF RAMSEY, DIRECTOR

## PAID Monthly Expenses for January 2021 - TRF Operating Account - Bank of Stockton

Description	Date Paid	Amt. Due	Paid
PG&E station 4	1/5/2021	\$ 1,082.30	pd
PG&E station 3	1/5/2021	\$ 711.59	pd
EcoWater System	1/5/2021	\$ 84.15	pd
Windmill Portable	1/5/2021	\$ 206.32	pd
Delta Disposal	1/5/2021	\$ 258.92	pd
CalNet	1/5/2021	\$ 161.54	pd
CalPERS	1/5/2021	\$ 144.46	pd
Patriot Pest Control	1/5/2021	\$ 136.00	pd
Tracy Press (Ordinance)	1/5/2021	\$ 184.60	pd
San Joaquin Valley Air Pollution	1/5/2021	\$ 98.00	pd
Mr. Rooter (#3 shut off valves)	1/7/2021	\$ 436.02	pd
Amazon - 1099 Forms	1/8/2021	\$ 24.89	pd
Mr. Rooter (3&4 water heater)	1/12/2021	\$ 1,023.42	pd
USPS (stamps)	12/17/2020	\$ 55.00	pd
ATT - District Phone	12/23/2020	\$ 265.76	pd
Mr. Rooter (3&4 decon sinks)	12/11/2020	\$ 7,512.45	pd
JPA (station improvements)	12/11/2020	\$ 2,388.74	pd

<b>Total Paid</b>
\$ 14,774.16

1:48 PM

**TRACY RURAL COUNTY FIRE PROTECTION DISTRICT**

**Balance Sheet**

01/10/21

As of December 31, 2020

Accrual Basis

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	<u>Dec 31, 20</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Bank of Stockton-Operating	220,886.44
Fund 49501 - Operations	1,863,797.10
Fund 49512 - Retirement Buyout	146,225.70
Fund 49515 - Fire Facility Fees	430,441.90
Fund 49591 - Capital Outlay Res	2,638,694.52
	<hr/>
<b>Total Checking/Savings</b>	5,300,045.66
	<hr/>
<b>Total Current Assets</b>	5,300,045.66
	<hr/>
<b>TOTAL ASSETS</b>	<b>5,300,045.66</b>
	<hr/> <hr/>
<b>LIABILITIES &amp; EQUITY</b>	0.00

**TRACY RURAL COUNTY FIRE PROTECTION DISTRICT**  
**Profit & Loss Budget vs. Actual**  
 July through December 2020

	Jul - Dec 20	Budget	% of Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
Beginning Balance	0.00	4,889,130.92	0.0%
Apparatus/Equipment Fund	0.00	1,200,000.00	0.0%
Bank of Stockton	94,098.11		
<b>Fund 49501 - Property Tax</b>			
Homeowners Exemption - State	25,298.64	42,000.00	60.2%
Interest Income	10,817.00	20,000.00	54.1%
Licenses, Permits, Etc	0.00	4,000.00	0.0%
<b>Other Miscellaneous income</b>			
Rural Address Markers	0.00	0.00	0.0%
Other Miscellaneous income - ...	0.00	0.00	0.0%
<b>Total Other Miscellaneous income</b>	0.00	0.00	0.0%
Prior - SB813	8.24		
Prior - Unsecured	240.06		
Rent	0.00	48,000.00	0.0%
Secured	3,557,549.50	6,123,116.00	58.1%
Secured SB813	113,150.08	193,878.00	58.4%
Special Assessments - Current	792,229.67	1,445,817.00	54.8%
Special Assessments - Prior	75.80		
Unsecured	342,693.90	311,245.00	110.1%
Unsecured SB813	4,188.63	8,893.00	47.1%
Fund 49501 - Property Tax - Other	0.00	0.00	0.0%
<b>Total Fund 49501 - Property Tax</b>	4,846,251.52	8,196,949.00	59.1%
<b>Fund 49512 - Retirement</b>			
Interest	0.00	0.00	0.0%
Fund 49512 - Retirement - Other	0.00	200,000.00	0.0%
<b>Total Fund 49512 - Retirement</b>	0.00	200,000.00	0.0%
<b>Fund 49515 - Fire Facility Fees</b>			
Interest	2,046.00	3,000.00	68.2%
Mitigation Fees	2,288.65	270,000.00	0.8%
<b>Total Fund 49515 - Fire Facility Fees</b>	4,334.65	273,000.00	1.6%
<b>Fund 49591 - Capital Outlay</b>			
Interest	14,021.00	50,000.00	28.0%
Rent			
Station 92	0.00	0.00	0.0%
Station 95	0.00	0.00	0.0%
<b>Total Rent</b>	0.00	0.00	0.0%

**TRACY RURAL COUNTY FIRE PROTECTION DISTRICT**  
**Profit & Loss Budget vs. Actual**  
 July through December 2020

	Jul - Dec 20	Budget	% of Budget
Fund 49591 - Capital Outlay - Other	0.00	200,000.00	0.0%
<b>Total Fund 49591 - Capital Outlay</b>	<b>14,021.00</b>	<b>250,000.00</b>	<b>5.6%</b>
Reserve Fund	0.00	2,777,315.22	0.0%
<b>Total Income</b>	<b>4,958,705.28</b>	<b>17,786,395.14</b>	<b>27.9%</b>
<b>Expense</b>			
AT&T	0.00	0.00	0.0%
Audited Financial Statements	5,975.00	7,000.00	85.4%
Auditors Direct Assessment	14,882.25	15,000.00	99.2%
Auditors PR & AP Charges	54,627.50	120,000.00	45.5%
Auditors Tax Admin Charges	0.00	600.00	0.0%
<b>Building Maintenance Fund</b>			
<b>Station 3</b>			
Solar Project	0.00	120,000.00	0.0%
Station 3 - Other	1,194.37	90,000.00	1.3%
<b>Total Station 3</b>	<b>1,194.37</b>	<b>210,000.00</b>	<b>0.6%</b>
<b>Station 4</b>	<b>1,432.37</b>	<b>90,000.00</b>	<b>1.6%</b>
<b>Total Building Maintenance Fund</b>	<b>2,626.74</b>	<b>300,000.00</b>	<b>0.9%</b>
<b>Business Office Services</b>	<b>24,581.00</b>	<b>50,000.00</b>	<b>49.2%</b>
<b>Directors Fees</b>			
Jeff Ramsey	1,500.00		
Muniz, John	3,000.00		
Pombo, Robert	1,300.00		
Reece, Pete	1,700.00		
Vieira, John	800.00		
Directors Fees - Other	0.00	30,000.00	0.0%
<b>Total Directors Fees</b>	<b>8,300.00</b>	<b>30,000.00</b>	<b>27.7%</b>
<b>Elections</b>	<b>0.00</b>	<b>5,000.00</b>	<b>0.0%</b>
<b>Fund Transfer</b>			
<b>2-Capital Outlay</b>			
A-Apparatus/Equipment	0.00	1,020,000.00	0.0%
B-Building Maintenance	0.00	300,000.00	0.0%
2-Capital Outlay - Other	0.00	200,000.00	0.0%
<b>Total 2-Capital Outlay</b>	<b>0.00</b>	<b>1,520,000.00</b>	<b>0.0%</b>
<b>4-Retirement Buyout</b>	<b>0.00</b>	<b>200,000.00</b>	<b>0.0%</b>
<b>5-Reserve Fund</b>	<b>0.00</b>	<b>2,777,315.22</b>	<b>0.0%</b>
<b>Total Fund Transfer</b>	<b>0.00</b>	<b>4,497,315.22</b>	<b>0.0%</b>

**TRACY RURAL COUNTY FIRE PROTECTION DISTRICT**  
**Profit & Loss Budget vs. Actual**  
 July through December 2020

	Jul - Dec 20	Budget	% of Budget
<b>Governance Services</b>			
Bowman & Berreth LLP LAFCo	0.00	0.00	0.0%
<b>Total Governance Services</b>	0.00	0.00	0.0%
<b>Insurance - General Liability</b>	21,738.00	25,000.00	87.0%
<b>Legal Services</b>			
Document Review	0.00	25,000.00	0.0%
General	27,552.90	100,000.00	27.6%
JPA	11,986.02	38,000.00	31.5%
Litigation	95,646.61	125,000.00	76.5%
<b>Total Legal Services</b>	135,185.53	288,000.00	46.9%
<b>Loan Issue Cost</b>			
Engine 92	0.00	0.00	0.0%
Engine 93	0.00	112,437.72	0.0%
<b>Total Loan Issue Cost</b>	0.00	112,437.72	0.0%
<b>Membership/Association Dues</b>			
Seminars	875.00	5,500.00	15.9%
Membership/Association Dues - ...	2,203.00	4,500.00	49.0%
<b>Total Membership/Association Dues</b>	3,078.00	10,000.00	30.8%
<b>Miscellaneous</b>	33,823.66	50,000.00	67.6%
<b>Office Expense</b>			
Computer	3,207.19	7,000.00	45.8%
Miscellaneous	4,012.99	5,000.00	80.3%
Phone	367.84	600.00	61.3%
Postage	170.00	250.00	68.0%
Software/Hardware	163.20	650.00	25.1%
Supplies	0.00	500.00	0.0%
<b>Total Office Expense</b>	7,921.22	14,000.00	56.6%
<b>Professional Services</b>			
Attorney			
General Business	0.00	0.00	0.0%
JPA	0.00	0.00	0.0%
<b>Total Attorney</b>	0.00	0.00	0.0%
<b>Total Professional Services</b>	0.00	0.00	0.0%

**TRACY RURAL COUNTY FIRE PROTECTION DISTRICT**  
**Profit & Loss Budget vs. Actual**  
 July through December 2020

	Jul - Dec 20	Budget	% of Budget
<b>Retirement</b>			
Miscellaneous	0.00	85,555.45	0.0%
PERS	843.98	2,700.00	31.3%
PERS Unfunded Liability	504,882.00	1,200,000.00	42.1%
Retirement Buyout	0.00	0.00	0.0%
Safety Plan	700.00	800.00	87.5%
<b>Total Retirement</b>	<b>506,425.98</b>	<b>1,289,055.45</b>	<b>39.3%</b>
<b>Special Reports</b>			
Benefit Assessment - HdL	3,208.00	8,000.00	40.1%
Entity Report	1,168.35	2,000.00	58.4%
EPS Report	13,433.75	55,000.00	24.4%
State Controllers Report	0.00	800.00	0.0%
Special Reports - Other	3.72		
<b>Total Special Reports</b>	<b>17,813.82</b>	<b>65,800.00</b>	<b>27.1%</b>
<b>SSJCFA - JPA</b>			
FY2019-2020	0.00	0.00	0.0%
FY2020-2021	3,888,499.78	6,071,618.00	64.0%
<b>Total SSJCFA - JPA</b>	<b>3,888,499.78</b>	<b>6,071,618.00</b>	<b>64.0%</b>
<b>Utilities</b>			
Station 3	12,449.97	40,000.00	31.1%
Station 4	13,948.21	40,000.00	34.9%
<b>Total Utilities</b>	<b>26,398.18</b>	<b>80,000.00</b>	<b>33.0%</b>
<b>Vector Control</b>	<b>35.36</b>		
<b>Total Expense</b>	<b>4,751,912.02</b>	<b>13,030,826.39</b>	<b>36.5%</b>
<b>Net Ordinary Income</b>	<b>206,793.26</b>	<b>4,755,568.75</b>	<b>4.3%</b>
<b>Net Income</b>	<b>206,793.26</b>	<b>4,755,568.75</b>	<b>4.3%</b>

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## Resolution No. 2021-01

### **A RESOLUTION OF TRACY RURAL COUNTY FIRE PROTECTION DISTRICT RESCINDING RESOLUTION 2020-10 OF NECESSITY AUTHORIZING THE INITIATION OF EMINENT DOMAIN PROCEEDINGS TO ACQUIRE REAL PROPERTY FOR THE CONSTRUCTION OF A NEW FIRE STATION, AND AUTHORIZING THE DEPOSIT OF \$81,000.00 FOR RONNOCO PROPERTIES OF TRACY II, L.P., APN 240-090-02, WITH THE STATE OF CALIFORNIA CONDEMNATION DEPOSIT FUND**

**WHEREAS**, on February 18, 2020, the Tracy Rural County Fire Protection District approved Resolution 2020-10 of Necessity Authorizing the Initiation of Eminent Domain Proceedings;

**WHEREAS**, on February 18, 2020, the District approved certain actions whereby the District exercised its power of eminent domain to acquire real property for the construction of a new fire station located at 12501 W. Valpico Road in unincorporated San Joaquin County, Tracy, California, consisting of portions of Assessor Parcel No 240-090-02;

**WHEREAS**, pursuant to Resolution 2020-10, the District authorized special counsel, Price, Postel & Parma, LLP to prepare and prosecute in the name of the District, such proceedings in the proper court as are necessary for such acquisitions;

**WHEREAS**, Price, Postel & Parma, LLP are hereby directed to cease and desist proceeding with eminent domain to obtain said real property;

**WHEREAS**, the District approves rescission of Resolution 2020-10; and

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Directors of Tracy Rural County Fire Protection District, as follows:

That Resolution 2020-10 authorizing the necessity authorizing the initiation of eminent domain proceedings to acquire real property for the construction of a new fire station, and authorizing the deposit of \$81,000.00 for Ronnoco Properties of Tracy II, L.P. APN 240-090-02, with the State of California condemnation deposit fund is hereby rescinded and said authorization is no longer valid or of any effect.

# Tracy Rural County Fire Protection District

## Board of Directors

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## STAFF REPORT

**Meeting:** Regular Session  
**Date:** January 19, 2021  
**To:** Board of Directors  
**Prepared by:** Raychel Jackson, District Clerk  
**Approved by:** John Muniz, Board Chairperson

**Re:** Mid-Year Budget Report for Fiscal Year 2020-2021

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### Recommendation

Receive the FY 2020-21 Mid-Year Budget Review report.

### Executive Summary

The FY 2020-21 budget was adopted by the District on September 15, 2020. Included in this report is a midyear review of revenues and expenses.

### Discussion

As the District approached the middle of the fiscal year, the finance director evaluated the adopted operating budget and revenue projections for the remainder of the fiscal year. It is standard procedure to perform a mid-year review of the District's budget to ensure any deviations from the initial budget projections are proactively addressed.

### *Revenues:*

<u>Revenue Category</u>	<u>Adopted Budget</u>	<u>Mid-Year Actual</u>	<u>% of Budget</u>
Property Tax – Secured	\$6,123,116.00	\$3,557,549.50	58%
Property Tax – Supp Secured	\$ 193,878.00	\$ 113,150.08	58%
Property Tax – Unsecured	\$ 311,245.00	\$ 342,693.90	110%
Property Tax – Supp Unsecured	\$ 8,893.00	\$ 4,188.63	47%
Homeowners Exemption	\$ 42,000.00	\$ 25,298.64	60%
Current Assessment	\$1,445,817.00	\$ 792,305.47	54%
Rental	\$ 48,000.00	\$ 14,200.00	29%
<i>Total</i>	<i>\$8,172,949.00</i>	<i>\$4,849,386.22</i>	<i>59%</i>

***Expenditures:***

<b><u>Expense Category</u></b>	<b><u>Adopted Budget</u></b>	<b><u>Mid-Year Actual</u></b>	<b><u>% of Budget</u></b>
Legal Fees	\$288,000.00	\$135,185.53	46%
Utilities	\$80,000.00	\$26,398.18	33%
Insurance	\$25,000.00	\$21,738.00	87%*
Memberships	\$10,000.00	\$3,078.00	30%
County Charges	\$135,000.00	\$69,509.75	51%
Director Fees	\$30,000.00	\$8,300.00	27%
Business Office Services	\$50,000.00	\$24,581.00	56%
Office Expenses / Miscellaneous	\$64,000.00	\$22,255.12	34%
Audits (financial)	\$7,000.00	\$5,975.00	85%*
Special Reports (HdL; EPS)	\$65,800.00	\$17,813.82	27%
CalPERS (UAL; Medical)	\$1,203,500.00	\$506,425.98	39%
JPA	\$6,071,618.00	\$3,888,449.78	64%
<i>Total</i>	<i>\$8,029,918.00</i>	<i>\$4,723,735.16</i>	<i>58%</i>

*\*final*

**Fiscal Impact**

None.

**Attachments**

None.

# Tracy Rural County Fire Protection District

## Board of Directors

John Muniz  
John Vieira  
Pete Reece  
Matthew Kopinski  
Jeff Ramsey

Raychel Jackson, Clerk of the Board  
1820 W. Kettleman Ln, Ste F  
Lodi, CA 95242  
P: (209) 834-7269  
Raychel.jackson@tracyruralfire.org  
www.tracyruralfire.org

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## STAFF REPORT

**Meeting:** Regular Session  
**Date:** January 19, 2021  
**To:** Board of Directors  
**Prepared by:** Raychel Jackson, District Clerk  
**Approved by:** John Muniz, Board Chairperson

**Re:** REPORT OF SAN JOAQUIN COUNTY FIRE DISTRICT GRANT FUNDS  
(CARES ACT)

---

### RECOMMENDATION

It is recommended the Board of Directors receive the report of reimbursement of funds through San Joaquin County CARES Act funding.

### BACKGROUND

On October 20, 2020, the Board of Supervisors took action to include San Joaquin County fire districts as eligible for reimbursement through the County CARES Act funding. These funds were allocated to the San Joaquin Hospital Grant Program wherein \$1.2 million remained after the majority of eligible hospital costs were reimbursed. The Board of Supervisors allocated these funds for health care use outside of the County organization and felt it was important to continue to support outside agencies who have incurred unanticipated costs related to COVID-19. The fire districts are one of the County's public safety organizations that have incurred unanticipated costs responding to the COVID-19 pandemic. The District was one of the fire districts that did not receive a direct distribution of the CARES Act funding.

### DISCUSSION

The District submitted the grant application on December 11, 2020. The County accepted and approved the application in the amount of \$79,898.11. The application included costs related to: OT of firefighters; permanent DECON sinks for Stations 3 & 4, including installation; iPads for District staff; virtual meeting software; reimbursement of portable DECONS sinks for Station 3 & 4; sterilization devices; and FirstWatch Software.

### FISCAL IMPACTS

The District will receive reimbursement of expended funds in the amount of \$79,898.11.

### ATTACHMENTS

None.

# Tracy Rural County Fire Protection District

Raychel Jackson, Clerk of the Board  
1820 W. Kettleman Ln, Ste F  
Lodi, CA 95242  
P: (209) 834-7269  
[www.tracyruralfire.org](http://www.tracyruralfire.org)

---

Motion passed.

Passed, approved, and adopted this 19<sup>th</sup> day of January, 2021.

---

Chairman of the Board

ATTEST:

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Raychel Jackson, Clerk of the Board

# Tracy Rural County Fire Protection District

## Board of Directors

John Muniz  
John Vieira  
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## STAFF REPORT

**Meeting:** Regular Session  
**Date:** January 19, 2021  
**To:** Board of Directors  
**Prepared by:** Raychel Jackson, District Clerk  
**Approved by:** John Muniz, Board Chairperson

**Re:** APPROVE RESOLUTION 2021-02 TO CHANGE THE REGULAR MEETING DATES AND TIMES OF THE TRACY RURAL COUNTY FIRE DISTRICT BOARD OF DIRECTORS

---

### RECOMMENDATION

It is recommended that the Board of Directors approve a resolution changing the regular meeting of the Tracy Rural County Fire District (District) to the second Tuesday of each month at 5:00 P.M.

### BACKGROUND

Article 6.1 of the Tracy Rural County Fire Protection District Policies and Procedures for conducting business requires the Board of Directors provide for regular meetings at a date, time, and place fixed by resolution of the Board of Directors, which shall occur at least every three months.

The Board of Directors previously approved the regular meeting date and time as the 3<sup>rd</sup> Tuesday of each month at 1:00 P.M. It is now proposed to change the regular meeting date and time to align with the Board Policies and Procedures.

### DISCUSSION

Regular meeting dates and times to conduct regular business are required to provide policy direction for the Fire District. Regular meeting dates and times allow the public to be aware of matters before the District Board and to observe local the government process in an open meeting forum.

The suggested time of the second Tuesday of each month would move the District's regular meeting in the middle of the Tracy City Council meetings. This would allow the flow of information between the two agencies to be more efficient when making policy decisions.

The California Fire Protection District Law of 1987 specifies the Board must meet at least once every three months. Additional dates may be added in the future if the District Board deems it necessary.

# Tracy Rural County Fire Protection District

## Board of Directors

John Muniz  
John Vieira  
Pete Reece  
Matt Kopinski  
Jeff Ramsey

Raychel Jackson, Clerk of the Board  
1820 W. Kettleman Ln, Ste F  
Lodi, CA 95242  
P: (209) 834-7269  
Raychel.jackson@tracyruralfire.org  
www.tracyruralfire.org

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## **FISCAL IMPACTS**

There is no fiscal impact related to adopting this resolution.

## **ATTACHMENTS**

1. Resolution 2021-02

# Tracy Rural County Fire Protection District

Raychel Jackson, Clerk of the Board  
1820 W. Kettleman Ln, Ste F  
Lodi, CA 95242  
P: (209) 834-7269  
[www.tracyruralfire.org](http://www.tracyruralfire.org)

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## Resolution No. 2021-02

### RESOLUTION CHANGING THE REGULAR MEETING DATES, AND TIMES OF THE TRACY RURAL COUNTY FIRE PROTECTION DISTRICT

**WHEREAS**, the Tracy Rural County Fire District (District) must hold a public meeting and provide notice; and

**WHEREAS**, per the Special Fire District act of 1987 the District shall be administered by a Board of Directors; and

**WHEREAS**, Section 6.1 of the District's Policies and Procedures, provide for regular meetings at least monthly at a date, time, and place determined by the Board; and

**WHEREAS**, at the January 19, 2021 meeting of the Board of Directors, the Board approved Resolution 2021-02 setting the meeting date and time as the second Tuesday of each month at 5:00 P.M., and

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Tracy Rural County Fire Protection District that:

The regular meeting date of the Board of Directors will be the 2nd Tuesday of each month at 5:00 P.M.;

Motion passed.

Passed, approved, and adopted this 19<sup>th</sup> day of January, 2021.

---

Chairman of the Board

ATTEST:

---

Raychel Jackson, Clerk of the Board

# Tracy Rural County Fire Protection District

**Board of Directors**  
John Muniz  
John Vieira  
Pete Reece  
Matthew Kopinski  
Jeff Ramsey

Raychel Jackson, Clerk of the Board  
1820 W. Kettleman Ln, Ste F  
Lodi, CA 95242  
P: (209) 331 -9518  
raychel.jackson@tracyruralfire.org  
www.tracyruralfire.org

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## STAFF REPORT

**Meeting:** Regular Meeting  
**Date:** January 19, 2021  
**To:** Board of Directors  
**From:** Fire Marshal Timothy Spears

**Re:** PUBLIC HEARING OF TRFPD ORDINANCE NO. 2021-01 2019  
CALIFORNIA FIRE CODE WITH AMENDMENTS

---

### RECOMMENDATION

1. Read the title of Tracy Rural Fire Protection District (Fire District) Ordinance No. 2021-01: Ordinance for Adoption of the 2019 California Fire Code with Amendments, and waive further reading beyond the title;
2. Open the public hearing and take any public comment
3. Close the public hearing and consider for adoption of TRFPD Ordinance No. 2020-01 2019 California Fire Code with Amendments

### BACKGROUND

The California Building Standards Commission (CBSC) adopted the California Fire Code in July 2019. Fire codes are adopted every three years. The CBSC does not mandate the adoption of certain sections or parts of the model codes. Local jurisdictions may adopt those sections not automatically adopted and/or may adopt amendments that are more restrictive to address local conditions.

### DISCUSSION

Fire districts, under the authority of Health and Safety Code Section 13869.7, are permitted to amend certain portions of the state codes related to fire safety due to local climatic, geological, or topographical conditions. Amendment of the 2019 California Fire Code is necessary so as to provide more stringent standards for fire extinguishing systems, fire hazard and hazardous materials controls as necessary to serve the public interest by

reducing the risk to life and property of the citizens of Tracy Rural Fire Protection District because of the following local conditions:

1. Summer weather conditions are very dry, hot and windy causing ordinary combustibles to be easily ignited and fires to be fast spreading;
2. Very dense fog conditions occur in winter. Reduced visibility causes delays in fire response; and
3. The coverage area is intersected by Interstates 5, 205, and 580. The area experiences a large volume of commuter traffic that can delay fire and emergency service response.

All proposed amendments are reflected in the attached 2019 California Fire Code Adoption Matrix. The proposed amendments address the following items: permits, violation penalties, administrative penalties and remedies, false alarms, open burning, idle pallet storage, fire apparatus access, address identification, key boxes for emergency access, fire control rooms, main electrical circuit disconnects, automatic fire sprinkler systems, fire protection system connections, fire pumps, emergency responder radio coverage in existing buildings, fire flow requirements, and fire hydrant locations and distribution. The proposed amendments also establish geographic limits for certain hazardous materials storage.

Additionally, the Fire District is a Member Agency of the South San Joaquin County Fire Authority (Fire Authority). The Joint Powers Agreement of the Fire Authority requires each Member Agency to adopt the California Fire Code with such modifications and amendments deemed appropriate by each Agency. As part of the code adoption process, each Agency is required to assign the Fire Authority as the "Authority Having Jurisdiction" (AHJ) for all fire protection matters within the Member Agency jurisdiction. The proposed ordinance also includes this text. This item is scheduled for approval of the Tracy City Council in February 2021.

### **FISCAL IMPACTS**

There is no fiscal impact to the District. Additional plan review and inspection time is offset by the collection of fees included in the South San Joaquin County Fire Authority's Fee Schedule.

### **ATTACHMENTS**

1. Proposed TRFPD Ordinance No. 2021-01, 2019 California Fire Code with Amendments
2. TRFPD 2019 California Fire Code Adoption Matrix

TRACY RURAL FIRE PROTECTION DISTRICT  
ORDINANCE NO. 2021-01  
ORDINANCE FOR ADOPTION OF  
THE 2019 CALIFORNIA FIRE CODE  
AND PROVIDING THE MODIFICATION THEREOF

An ordinance of the Tracy Rural Fire Protection District adopting the 2019 edition of the California Fire Code, 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 or property in the occupancy of buildings and premises in the Tracy Rural Fire Protection District; providing for the issuance of permits and collection of fees therefore; repealing all other ordinances and parts of the ordinances in conflict therewith.

Findings and Adoption of the 2019 California Fire Code

The Board of Directors of the Tracy Rural Fire Protection District does ordain as follows:

1. That the International Code Council is a private organization, which has been in existence for at least three (3) years.
2. That the California Fire Code, 2019 Edition, and 2019 California Fire Code Standards, published by said organization, are nationally recognized compilation of proposed rules, regulations, and standards of said organization;
3. That said 2019 California Fire Code and Fire Code Standards have been printed and published as a code in book form within the meaning of Section 50022.2 et seq., of the Government Code;
4. That one (1) copy of the 2019 California Fire Code and one (1) copy of the International Fire Code Standards, certified by the Clerk to be true copies, have been filed for use and examination by the public in the office of the Clerk;
5. That the sections of said 2019 California Fire Code and California Fire Code Standards may be referred to by the number used in said published compilation, preceded by the words "California Fire Code Section" or "Fire Code Section" and may also be referred to by additional reference to Municipal Code and sections therein pertaining to said 2019 California Fire Code and Fire Code Standards;
6. That the additional requirements and standards established herein are needed to properly protect the health, safety, and welfare of the existing and future residents and workers of the Tracy Rural Fire Protection District;
7. Said requirements and standards are reasonably necessary because of local climatic, geological, and topographical conditions, and comply with existing state laws and regulations;
8. Amendment of the 2019 California Fire Code is necessary so as to provide more stringent standards for fire extinguishing systems, fire hazard and hazardous materials controls as necessary to serve the public interest by reducing the risk to life and property of the citizens of Tracy Rural Fire Protection District because of the following local conditions:

- (a) Summer weather conditions are very dry, hot and windy causing ordinary combustibles to be easily ignited and fires to be fast spreading;
- (b) Very dense fog conditions occur in winter. Reduced visibility causes delays in fire response; and
- (c) The coverage area is intersected by Interstates 5, 205, and 580. The area experiences a large volume of commuter traffic that can delay fire and emergency service response.

Therefore, for the above reasons taken individually and cumulatively and in accordance with the authority granted in Sections 17958.5 and 17958.7 of the California Health and Safety Code, the Board of Directors of the Tracy Rural Fire Protection District expressly finds there are local climatic and topographical conditions that make the increased fire protection requirements set forth in this article reasonably necessary.

**Section 1** That a certain document, one (1) copy of which is on file in the office of the South San Joaquin County Fire Authority, being marked and designated as the California Fire Code, 2019 edition, including Chapter 1, Appendix Chapter 4, Appendices B, BB, C, CC, D, E, H, F, I, L, N, O and Division I California Administration and Division II Administration as published by the International Code Council, be and is hereby adopted as the Fire Code of the Tracy Rural Fire Protection District, 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 or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and providing penalties for the violation thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Tracy Rural Fire Protection District are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertion, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2** That the following sections of the 2019 California Fire Code are hereby revised:

**CHAPTER 1:**

**Administration  
Scope and General Requirements**

**Title.**

Section 101.1 of the 2019 California Fire Code is hereby amended to read as follows:

These regulations shall be known as the Fire Code of: Tracy Rural Fire Protection District, hereinafter referred to as "this code."

**Administration  
Department of Fire Prevention**

**Authority.**

Section 103.1.1 of the 2019 California Fire Code is hereby added to read as follows:

Section 103.1.1 Authority. The South San Joaquin County Fire Authority shall be the Authority Having Jurisdiction for all fire protection matters within the Tracy Rural Fire Protection District. This shall include the enforcement of building standards adopted by the State Fire Marshal as stated in the California Fire Code, Division I, California Administration, Section 1.11 and the implementation, administration and enforcement of the provisions of the Tracy Rural Fire Protection District Fire Code.

**Administration  
Permits**

**Time limitation of application.**

Section 105.2.3 of the 2019 California Fire Code is amended to read as follows:

Section 105.2.3 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the fire code official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days

each. The extension shall be requested in writing and justifiable cause demonstrated. However, at the discretion of the fire code official, an application shall not be extended more than two times if this code or any other pertinent code, law or ordinance has been adopted subsequent to the date of application. A new application shall be submitted and corresponding fees shall be paid when an application has expired.

A new application shall be submitted and corresponding fees shall be paid when an application for a permit has expired.

**Extensions:**

Section 105.3.2 of the 2019 California Fire Code is amended to read as follows:

Section 105.3.2 Extensions. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The fire code official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. However, at the discretion of the fire code official, a permit shall not be extended more than two times if this code or any other pertinent code, law or ordinance has been adopted subsequent to the date of application. A new permit shall be obtained and corresponding fees shall be paid when a permit has expired.

**Christmas tree lots, haunted house or corn maze.**

Section 105 of the California Fire Code is amended by adding subsection 105.6.52 to read as follows:

Section 105.6.52 Christmas tree lots, haunted house or corn maze. An operational permit is required to operate a temporary or permanent operation.

**Administration  
Fees**

**Reinspection Fee.**

Section 106 of the California Fire Code is amended by adding subsection 106.2.3 to read as follows:

106.2.3 Reinspection Fee. A reinspection fee may be assessed for each inspection, test, or reinspection when such portion of work for which an inspection is requested is not complete or when corrections requested to be inspected are not made. This section is not to be interpreted as requiring reinspection fees the first time an inspection or test is rejected for failure to comply with the requirements of the code, but as controlling the practice of requesting inspections/tests before the job is ready for such inspection or test. Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection/test is requested, failure for those individuals conducting the test to show up at the scheduled time or deviating from the approved plans. The fee shall be equal to all incurred costs for inspection and administrative staff at the fully burdened rate.

## **Administration Violations**

### **Violation Penalties.**

Section 110.4 of the 2019 California Fire Code is hereby amended to read as follows:

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 a fine of not more than \$1,000 dollars or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

## **Administration Administrative Penalties and Remedies**

### **Applicability.**

Section 110.5 is hereby added to the 2019 California Fire Code to read as follows:

**Applicability.** In addition to any other remedies set forth in this ordinance, administrative penalties may be imposed against any person or any responsible party as defined herein for violating any of the requirements set forth in this ordinance. Use of this section is at the sole discretion of the Fire Authority. The imposition of administrative citations is authorized under Government Code Sections 53069.4 and Health and Safety Code Sections 13861(h), 13870 and 13871.

### **Continuing violations.**

Section 110.5.1 is hereby added to the 2019 California Fire Code to read as follows:

**Continuing violations.** If a violation is continuing one and pertains to Fire or Life Safety issue that does not create an immediate danger to health or safety, The South San Joaquin County Fire Authority shall provide a reasonable period of time for the responsible person to correct or otherwise remedy the violation before the imposition of an administrative citation or penalty.

### **Administrative citation.**

Section 110.5.2 is hereby added to the 2019 California Fire Code to read as follows:

**Administrative citation. Authority.** Whenever an enforcement officer determines that a violation of this code has occurred the enforcement officer has the authority to issue an administrative citation to the person responsible for the violation.

### **Contents of citation.**

Section 110.5.2.1 is hereby added to the 2019 California Fire Code to read as follows:

**Contents of citation.** Each administrative citation shall contain the following information:

- a. The date of the violation.
- b. The address or a definite description of the location where the violation occurred.
- c. The section of this code violated and a description of the violation.
- d. The amount of the fine for the code violation.

- e. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid.
- f. An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation.
- g. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained.
- h. The name and signature of the citing enforcement officer.

**Responsible Party.**

Section 110.5.2.2 is hereby added to the 2019 California Fire Code to read as follows:

**Responsible party.** For the purposes of section 110, the term “responsible party” means any person or persons with the right of possession of the residence or other private property includes but is not limited to:

- a. Any owner of the residence or other private property who occupies the residence or private property (hereinafter “owner-occupant”), meaning the record owner of real property as listed in the most current equalized assessment roll as maintained by the San Joaquin County Assessor at the time of the violation;
- b. Any owner-occupant, lessee, licensee, or other person having control over a property, structure or parcel of land at the time of the violation.
- c. Any person(s) who organizes, supervises, officiates, conducts or controls the gathering or any other person(s) accepting responsibility for the violation;

**Responsibility for Proper Property Management.**

Section 110.5.2.2.1 is hereby added to the 2019 California Fire Code to read as follows:

**Responsibility for Proper Property Management.** Every owner, occupant, lessee, tenant, or holder of any possessory interest of a residence or other private property within the Tracy Rural Fire Protection District is required to maintain, manage and supervise property and all persons thereon in a manner so as not to violate the provisions of this ordinance.

**Delivery of citation.**

Section 110.5.2.3 is hereby added to the 2019 California Fire Code to read as follows:

**Delivery of citation.** The administrative citation shall be delivered personally or sent by first class mail or certified mail to the person responsible for the violation.

**Dismissal of citation.**

Section 110.5.2.4 is hereby added to the 2019 California Fire Code to read as follows:

**Dismissal of citation.** At any time before the hearing, if the Fire Marshal determines that there was no violation as charged in the administrative citation or that the citation should be dismissed in the interest of justice, the Fire Marshal shall dismiss the administrative citation, cancel the hearing, and refund any administrative citation fine.

**Amount of fine.**

Section 110.5.3 is hereby added to the 2019 California Fire Code to read as follows:

**Amount of fine.** For violations of this ordinance, the administrative penalty shall be one hundred dollars (\$100.00) for the first violation, two hundred dollars (\$200.00) for a second violation within any twelve (12) month period, and five hundred dollars (\$500.00) for any subsequent violations within any twelve (12) month period.

**Additional Amounts.**

Section 110.5.3.1 is hereby added to the 2019 California Fire Code to read as follows:

**Additional Amounts.** Administrative costs, interest, late payment charges, costs of compliance reinspections, and collection costs are in addition to the fine. These include:

- a. Administrative costs: based on time spent by code enforcement staff, supervisors and TRFPD attorney's office, at the full cost hourly rate of each employee, including salary, benefits and overhead.
- b. Late payment charges: due at the rate established in the South San Joaquin County Fire Authority Fee Schedule.
- c. Compliance reinspections: based on the South San Joaquin County Fire Authority Fee Schedule.
- d. Collection costs: actual collection costs.

**Discretion of Hearing Officer.**

Section 110.5.3.2 is hereby added to the 2019 California Fire Code to read as follows:

**Discretion of Hearing Officer - Factors in Establishing Fine.** In determining the amount of the fine and additional amounts, hearing officer has the discretion to set the fine lower than the maximum amount, or to reduce the additional costs, based on any or all of the following factors:

- a. The duration of the violation;
- b. The frequency, recurrence and number of violations, related or unrelated, by the same violator;
- c. The seriousness of the violation;
- d. The good faith efforts of the violator to come into compliance;
- e. The economic impact of the fine on the violator;
- f. The impact of the violation on the community; and
- g. Such other factors as justice requires.

**Payment of the fine.**

Section 110.5.4 is hereby added to the 2019 California Fire Code to read as follows:

**Payment of the fine. Due date.** The fine shall be paid to the South San Joaquin County Fire Authority within 30 days from the date of the administrative citation. The Fire Authority may suspend the imposition of fines for any period of time during which the violator has filed for necessary permits, and such permits are required to achieve compliance, and the permit applications are actively pending before the appropriate governmental agency.

**Refund.**

Section 110.5.4.1 is hereby added to the 2019 California Fire Code to read as follows:

**Refund.** The South San Joaquin County Fire Authority shall refund a fine paid if the hearing officer determines, after a hearing held under section 105.5.5. , that the person charged in the citation was not responsible for the violation or that there was no violation as charged.

**Further violations not excused.**

Section 110.5.4.2 is hereby added to the 2019 California Fire Code to read as follows:

**Further violations not excused.** Payment of a fine under this chapter shall not excuse or discharge any continuation or repeated occurrence of the code violation.

**Hearing request.**

Section 110.5.5 is hereby added to the 2019 California Fire Code to read as follows:

**Hearing request.** A person who receives an administrative citation may contest the citation on the basis that there was no violation of the code or that he or she is not the responsible party. To contest the citation, the person shall submit a request for hearing to the South San Joaquin County Fire Authority within 30 days from the date of the administrative citation. The request form may be obtained from the Administrative Office of the South San Joaquin County Fire Authority. The completed request must be submitted together with either an advance deposit of the fine or notice that a request for an advance deposit hardship waiver has been filed under section 110.5.6.

**Notice of hearing.**

Section 110.5.5.1 is hereby added to the 2019 California Fire Code to read as follows:

**Notice of hearing.** The person requesting the hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.

**Additional reports.**

Section 110.5.5.2 is hereby added to the 2019 California Fire Code to read as follows:

**Additional reports.** If the enforcement officer submits an additional written report concerning the administrative citation to the hearing officer for consideration at the hearing, then a copy of this report also shall be provided to the person requesting the hearing at least five days before the date of the hearing.

**Advance deposit hardship waiver.**

Section 110.5.6 is hereby added to the 2019 California Fire Code to read as follows:

**Advance deposit hardship waiver. Request for waiver.** A person who intends to contest an administrative citation under section 110.5.5. and who is financially unable to make the required advance deposit of the fine may file a request for an advance deposit hardship waiver under this section.

**Filing.**

Section 110.5.6.1 is hereby added to the 2019 California Fire Code to read as follows:

**Filing.** An advance deposit hardship waiver shall be filed with the South San Joaquin County Fire Authority on a form provided by the Fire Authority. The application submitted shall include an affidavit, together with any supporting documents or materials, demonstrating the person's actual financial inability to deposit with the Fire Authority the full amount of the fine. The waiver form shall be filed within 10 calendar days of the date of the administrative citation.

**Deposit requirement stayed.**

Section 110.5.6.2 is hereby added to the 2019 California Fire Code to read as follows:

**Deposit requirement stayed.** The requirements of depositing the fine shall be stayed unless or until the South San Joaquin County Fire Authority makes a determination not to issue the advance deposit hardship waiver.

**Standard waiver.**

Section 110.5.6.3 is hereby added to the 2019 California Fire Code to read as follows:

**Standard waiver.** The South San Joaquin County Fire Authority may waive the requirement of an advance deposit under section 110.5.5. and issue the waiver only if the evidence submitted demonstrates to the satisfaction of the Fire Authority the person's actual financial inability to deposit with the Fire Authority the full amount of the fine in advance of the hearing.

**Written determination**

Section 110.5.6.4 is hereby added to the 2019 California Fire Code to read as follows:

**Written determination.** The South San Joaquin County Fire Authority shall issue a written determination listing the reasons for his or her determination to issue or not issue the advance deposit hardship waiver. The written determination of the Fire Authority is final. The written determination shall be served upon the person who applied for the waiver.

**Deposit required if waiver denied.**

Section 110.5.6.5 is hereby added to the 2019 California Fire Code to read as follows:

**Deposit required if waiver denied.** If the South San Joaquin County Fire Authority determines not to issue a waiver, the person cited shall deposit the fine with the Fire Authority within 10 days of the date of that decision or 30 days from the date of the citation, whichever is later.

**Hearing officer.**

Section 110.5.7 is hereby added to the 2019 California Fire Code to read as follows:

**Hearing officer.** The Fire Marshal of the Fire Authority shall designate the hearing officer for the administrative citation hearing. The hearing officer shall be an impartial person such as:

- a. A city or special district employee from another city or district which has no involvement in South San Joaquin County Fire Authority (SSJCFA) code enforcement nor is from a division of SSJCFA; or
- b. A person selected randomly from a panel of local attorneys who have been admitted to practice before the courts of this state for at least 5 years willing to volunteer as a hearing officer.

**Rejection of hearing officer.**

Section 110.5.7.1 is hereby added to the 2019 California Fire Code to read as follows:

**Rejection of hearing officer.** Should the person seeking the hearing reject the hearing officer selected by the South San Joaquin County Fire Authority, then the hearing officer shall be hired from an organization which provides such hearing officer services and the cost therefore shall be shared equally by the Fire Authority and the person cited.

**Performance.**

Section 110.5.7.2 is hereby added to the 2019 California Fire Code to read as follows:

**Performance.** The employment, performance evaluation, compensation and benefits of the hearing officer shall not be directly or indirectly conditioned upon or affected by decision rendered or the amount of administration citation fines upheld by the hearing officer, if any.

**Setting the hearing.**

Section 110.5.8 is hereby added to the 2019 California Fire Code to read as follows:

**Setting the Hearing.** A hearing before the hearing officer shall be set for a date that is not less than 15 days nor more than 60 days from the date that the request for hearing is filed. The person requesting the hearing shall be notified of the time and place set for the hearing as soon as it is set, and at least 10 days before the hearing. If the enforcement officer submits a written report concerning the citation to the hearing officer for consideration at the hearing, then a copy of the report shall be served on the person requesting the hearing at least five days before the hearing. No hearing shall be held unless the fine has been deposited in advance, under 110.5.5, or an advance deposit hardship waiver has been issued under 110.5.6.

**Failure to appear.**

Section 110.5.8.1 is hereby added to the 2019 California Fire Code to read as follows:

**Failure to appear.** The failure of the person requesting the hearing to appear at the hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.

**At the hearing.**

Section 110.5.8.2 is hereby added to the 2019 California Fire Code to read as follows:

**At the hearing.** The administrative citation and any additional report submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents. At the hearing, the party contesting the citation shall be given the opportunity to testify and to present evidence concerning the citation.

**Continuances.**

Section 110.5.8.3 is hereby added to the 2019 California Fire Code to read as follows:

**Continuances.** The hearing officer may continue the hearing and may request additional information for the enforcement officer or the person receiving the citation before issuing the decision.

**Hearing officer's decision.**

Section 110.5.9 is hereby added to the 2019 California Fire Code to read as follows:

**Hearing officer's decision.** After considering the testimony and evidence presented at the hearing, the hearing officer shall issue a written decision to uphold, dismiss or modify the administrative citation. The hearing officer shall state the reasons for the decision and shall send a copy of the decision to the person requesting the hearing and to the enforcement officer. The decision of the hearing officer is final, and may not be appealed.

**Status of fine.**

Section 110.5.9.1 is hereby added to the 2019 California Fire Code to read as follows:

**Status of fine.** If the citation is upheld, then the fine amount on deposit with the South San Joaquin County Fire Authority shall be retained by the Fire Authority. If the fine has not been deposited because there was an advance deposit hardship waiver, the hearing officer shall set forth in the decision a payment schedule for the fine. If the citation is dismissed, the Fire Authority shall promptly refund the amount of any fine deposited.

**Late payment charges.**

Section 110.5.10 is hereby added to the 2019 California Fire Code to read as follows:

**Late payment charges.** A person who fails to pay the South San Joaquin County Fire Authority the fine imposed under this chapter on or before the date that fine is due is also liable for the payment of the applicable late payment charges set forth in section 110.5.3.

**Recovery of administrative citation fines and costs.**

Section 110.5.11 is hereby added to the 2019 California Fire Code to read as follows:

**Recovery of administrative citation fines and costs.** A person who fails to pay any fine or other charge owed to the South San Joaquin County Fire Authority under this chapter is liable in any action brought by the Fire Authority for all costs incurred in securing payment of the delinquent amount, including but not limited to administrative costs and attorney's fees. Such collection costs are in addition to any fines, interest, and late charges.

**Other costs.**

Section 110.5.11.1 is hereby added to the 2019 California Fire Code to read as follows:

**Other costs.** In addition to the administrative citation fine, the South San Joaquin County Fire Authority may collect its administrative costs, interest, late payment charges, costs of compliance reinspections, and collection costs.

**Collection.**

Section 110.5.11.2 is hereby added to the 2019 California Fire Code to read as follows:

**Collection.** The South San Joaquin County Fire Authority may collect any past due administrative citation fine and other costs and charges by any available legal means.

**Right to judicial review.**

Section 110.5.12 is hereby added to the 2019 California Fire Code to read as follows:

**Right to judicial review.** A person aggrieved by the hearing officer’s decision on an administrative citation may obtain review of the decision by filing a petition for review with the Superior Court in San Joaquin County within 20 days after service of the final decision in accordance with the timelines and provisions set for in California Government Code Section 53069.4.

**Method of service.**

Section 110.5.13 is hereby added to the 2019 California Fire Code to read as follows:

**Method of service.** The administrative citation and all notices required to be given by this ordinance shall be served on the responsible party either by personal service, by first class mail, or by certified mail, return receipt requested.

**Real property.**

Section 110.5.13.1 is hereby added to the 2019 California Fire Code to read as follows:

**Real property.** When real property is involved in the violation, the original notice, the administrative citation and all notices required to be given by this ordinance shall be served on the responsible party and, if different, to the property owner at the address as shown on the last equalized county assessment roll. If personal service or service by mail on the property owner is unsuccessful, a copy of each notice and the citation shall be conspicuously posted at the property which is the subject of the violation. The South San Joaquin County Fire Authority may, in its discretion, also serve notice on a tenant, a mortgagor or any other person having an interest in the property.

**Failure to receive notice.**

Section 110.5.13.2 is hereby added to the 2019 California Fire Code to read as follows:

**Failure to receive notice.** The failure of a person to receive a required notice shall not affect the validity of any proceedings taken under this chapter.

**Violation penalties.**

Section 110.5.14 is hereby added to the 2019 California Fire Code to read as follows:

**Violation penalties.** Every person who violates any provisions of TRFPD Ordinance or any provision of the California Fire Code or International Fire Code or California Health and Safety Code, as adopted by reference is guilty of a misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained may constitute a separate offense.

**Administration  
Stop Work Order**

**Failure to Comply.**

Section 112.4 of the 2019 California Fire Code is hereby amended to read as follows:

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 five hundred dollars (\$500) or more than one thousand dollars (\$1,000).

## **CHAPTER 2:**

### **Definitions**

#### **FALSE ALARM**

Section 202 subsection FALSE ALARM is amended to read as follows:

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

## **CHAPTER 3:**

### **General Requirements Open Burning, Recreational Fires And Portable Outdoor Fireplaces**

#### **Open Burning.**

Section 307.1 of the 2019 California Fire Code is hereby amended by adding the following:

Open burning. No person shall kindle, conduct, or maintain any burning of grass, weeds, agricultural trimmings, or other combustibles or authorize any such fire to be kindled, conducted, or maintained without a permit as required by the San Joaquin Valley Unified Air Pollution Control District and compliance with all safeguards pursuant thereto. Any such permitted burning shall be restricted to agricultural purposes and confined to areas of the Tracy Rural Fire Protection District in which agricultural uses are lawful.

### **General Requirements General Storage**

#### **Outdoor Storage of Pallets.**

Section 315.7 of the 2019 California Fire Code is amended to read as follows:

Pallets, palletized packing boxes, bin boxes and other combustibles shall comply with Sections 315.7 through 315.7.7. Pallets stored within a building shall be protected in accordance with Chapter 32.

#### **Distance to lot line:**

Section 315.7.2 of the 2019 California Fire Code is amended to read as follows:

Where pallets, palletized packing boxes, bin boxes or other combustibles are piled or stored adjacent to a property line, the distance from such storage or pile shall not be less than 20 feet to the property line.

**Storage Height:**

Section 315.7.3 of the 2019 California Fire Code is amended to read as follows:

Pallets, palletized packing boxes, bin boxes and other combustible materials shall be stored or piled with due regard to stability but in no case greater than 15 feet in height.

Exception: Bin boxes may be stacked to a maximum height of 20 feet.

**SEPARATION DISTANCE BETWEEN WOOD PALLET STACKS AND BUILDINGS**

Table 315.7.6(1) of the 2019 California Fire Code is amended to read as follows:

TABLE 315.7.6(1)  
SEPARATION DISTANCE BETWEEN WOOD PALLET STACKS AND BUILDINGS

WALL CONSTRUCTION	OPENING TYPE	WOOD PALLET SEPARATION DISTANCE (feet)		
		≤ 50 Pallets	51 to 200 Pallets	> 200 Pallets
Masonry	None	2	2	2
Masonry	Fire-rated glazing with open sprinklers	2	5	20
Masonry	Fire-rated glazing	5	10	20
Masonry	Plain glass with open sprinklers	5	10	20
Noncombustible	None	5	10	20
Wood with open sprinklers	-	5	10	20
Wood	None	15	30	90
Any	Plain Glass	15	30	90

**Proximity to Other Combustible Yard Storage:**

Section 315.7.8 is hereby added to the 2019 California Fire Code to read as follows:

Pallets, palletized packing boxes and bin boxes shall be stored within the limitations to other combustible yard storage as per Table 315.7.8(a).

Table 315.7.8(a)  
Minimum distance of piled storage to other combustible yard storage

# of Pallets Bin or Boxes	Min. Feet
<50	20 feet
50-200	30 feet
>200	50 feet

**Operational Permit Required.**

Section 315.7.9 is hereby added to the 2019 California Fire Code to read as follows:

Operational permit required. An operational permit shall be obtained to store pallets, palletized packing boxes, bin boxes and other combustible materials in excess of 2500 cubic feet.

**Fire Access:**

Section 315.7.10 is hereby added to the 2019 California Fire Code to read as follows:

Fire access driveways between and around pallets, palletized packing boxes, bin boxes or other combustibles shall be a minimum of 20 feet in width and maintained free from accumulation of rubbish, weeds, machinery, equipment or other obstructions that may block access or add to the fire hazard. Driveways shall be spaced so as to establish a maximum grid of storage not to exceed 50 feet by 50 feet and no pile shall exceed 2500 square feet in dimension or more than 50 feet in any one dimension. An approved turning radius around such piles shall be maintained at all times.

**Fencing:**

Section 315.7.11 is hereby added to the 2019 California Fire Code to read as follows:

Outside storage of pallets, palletized packing boxes, bin boxes or other combustibles operating under a permit shall be enclosed by a suitable fence not less than 6 feet in height.

**Water Supply:**

Section 315.7.12 is hereby added to the 2019 California Fire Code to read as follows:

An approved water supply and hydrants capable of supplying the required fire flow shall be provided within 400 feet or all portions of the storage area in accordance with section 507 of the 2019 California Fire Code or NFPA 1142 (where municipal water supplies are not available).

**CHAPTER 4:**

**Emergency Planning and Preparedness  
General**

**Cost Recovery:**

Section 401.5 of the 2019 California Fire Code is amended by adding subsection 401.5.1 to read as follows:

All costs incurred by the Fire Department to any response to a false alarm will be charged to that person, property owner, firm or corporation causing the transmission of the false alarm.

**CHAPTER 5:**

**Fire Service Features  
Fire Apparatus Access Roads**

**Security Gates:**

Section 503.6 of the 2019 California Fire Code is amended to read as follows:

The installation of security gates across a fire apparatus access road shall require, prior to installation, approval by the fire code official. Where security gates are installed they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. All electrically operated automatic gates across fire apparatus access roads shall be equipped with traffic preempting optical signal receivers

compatible with the emitters utilized by the Fire Department, which will activate the gate and override all command functions of the gate controller. Knox Switches shall be provided at automatic gates. The traffic preemptive optical signal receiver and key switch shall be provided on both sides of an automatic access gate where an exit loop is not provided. The automatic gate shall have a battery backup or manual mechanical disconnect readily accessible to emergency personnel in case of power failure. All gates must meet Fire Department standards deemed necessary by the fire code official for rapid, reliable access. Electric gate operators, where provided, shall be listed in accordance with UL 325.

Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. All manual gates shall be equipped with a Knox-Box containing a key to the gate, or an approved Knox- Padlock.

### **Address Identification.**

Section 505.1 of the 2019 California Fire Code is hereby amended to read as follows:

New and existing buildings shall be provided and maintained with approved address identification. The identification shall comply with all of the following:

1. Not less than 4" high with a 1/2" stroke width
2. Located minimum of 6' above grade
3. Illuminated at night. Illumination shall be either internally or externally at an intensity of 5.0 foot-candles
4. Numbers shall contrast with the background.
5. Numbers shall be placed on a portion of the building that is both legible and visible from the street that fronts the property
6. Numbers shall not be placed on a moveable door and shall not be obstructed from view from the street.
7. Addresses shall be Arabic numbers or alphabetical letters and conventional in form

Additionally, where access is by means of a private road and/or the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Where required by the fire code official, address numbers/figures shall be provided in additional approved locations to facilitate emergency response.

Multiple tenant spaces serviced by vehicular access to the rear of the building through any driveway, alleyway, or parking lot shall have numbers or addresses placed prior to occupancy on all new and existing buildings as to be plainly visible and legible from the rear access way.

Multiple tenant spaces serviced by rear access through a corridor, exit court, or exit yard shall have approved numbers or addresses displayed on the rear of the tenant space.

Multiple tenant spaces that front on interior walkways or pedestrian malls shall have approved numbers or addresses placed over the entrance door in all new and existing buildings. An illuminated annunciator or directory board shall be required at every entrance where deemed necessary by the fire code official.

## **Fire Service Features Key Boxes**

### **Where required.**

Section 506.1 of the 2019 California Fire Code is hereby amended 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 safety or firefighting purposes, the fire code official is authorized to require a key box in which all keys necessary for entering any portion of the property, building or area shall be contained. The key box shall be manufactured by Knox (listed in accordance with UL 1037) and as a minimum size, shall be a Knox-Box 3200 series box with exterior dimensions of 5"x4"x3 3/4". Larger boxes will be required dependent upon the number of keys to be set within the box. The Knox-Box shall be installed at a height of 72" above finished grade in an accessible location approved by the fire code official. Keys within the box shall be permanently and readily identified.

### **Hazardous materials management plan box.**

Section 506 of the 2019 California Fire Code is amended by adding subsection 506.3 to read as follows:

When a facility stores or uses hazardous materials, the fire code official may require the installation of a secured box manufactured by KNOX and located at the facilities primary entrance or fire control room. The plan box shall contain up-to-date hazardous materials inventory sheets (HMIS) of all of the hazardous materials stored or used within the facility, hazardous materials management plan (HMMP) and contact information of the company liaison to the fire department. The plan box shall be water proof and of sufficient size to contain HMMP and HMIS information without the need to fold the documentation.

### **Fire Control Room:**

Section 509 of the 2019 California Fire Code is amended by adding subsection 509.3 to read as follows:

509.3 Fire Control Room. All new buildings protected with an automatic fire extinguishing system shall be provided with a Fire Control Room in which shall contain system control valves and where practical, fire alarm panel, smoke exhaust controls and all other equipment (excluding fire pump) as designated by the fire code official. If the electrical power equipment is not located within the Fire Control Room, then, it shall be located in a room immediately adjacent thereto or as approved by the fire code official. The fire control room shall be located so as to be directly accessible from the exterior of the building and provided with a durable and permanent sign on the exterior of the access door to identify the space as the fire control room.

## **Building Services and Systems Electrical Equipment, Wiring and Hazards**

### **Main Disconnects.**

Section 604.3.2 is hereby added to the 2019 California Fire Code to read as follows:

The main electrical service to any commercial building shall be accessible for emergency shut off from the outside of the building. This may be accomplished by providing one (1) main disconnect, a Knox disconnect or shunt trip device. If, out of necessity, there is more than one main service disconnect, these disconnects shall be located in close proximity to each other as approved by the fire code official. If a generator system activates automatically when a shunt trip or main disconnect shuts down, a control to stop the generator must be located with the main disconnect or shunt trip. Shunt trips, main disconnects and generator controls shall be identified by signs approved by the fire code official.

**EXCEPTION:**

1. Fire Control Room with a marked door that is directly accessible from the outside of the building.

**CHAPTER 9:**

**Fire Protection Systems  
Automatic Sprinkler Systems**

**New Construction.**

Section 903 of the 2019 California Fire Code is hereby amended by adding Section 903.2.21 to read as follows:

In addition to the requirements specified in Section 903 of this code, an automatic fire sprinkler system shall be installed throughout and maintained in operable condition in the following buildings.

1. Every building hereafter constructed in which the total area of the building is greater than 6,000 square feet including overhangs. Area separation walls shall not be used for the purpose of eliminating automatic fire sprinkler systems.
2. Every building hereafter constructed of three or more stories in height as defined in the building code.
3. Every building hereafter remodeled or improved within a three-year period of time when the cost of improvements (alterations and/or structural repairs to the building) requiring permits exceeds a valuation threshold as specified below and the total area of the building exceeds 6,000 square feet.

The calculation is determined using a valuation threshold of \$100,000 based on the 1985 "ENR US20 Cities" Average Construction Cost Index of 4195 adjusted by area cost factors. The City will annually update the valuation threshold to a current amount based on the increase in the index since the last figure used.

4. Every building hereafter changed in occupancy classification and the total area is greater than 6,000 square feet, and the proposed use is deemed to be more hazardous based on risk analysis by the fire code official.
5. Every building hereafter in which square footage is increased by 50% or more within a three-year period and the total square footage of the building exceeds 6000 square feet. If the additional square footage added to a building creates a total that exceeds the minimum code requirement for sprinklers for that occupancy type, then automatic sprinklers shall be required.

**EXCEPTIONS:**

1. Minor additions; not greater than 500 square feet in area to existing non-sprinklered buildings and the purpose of the addition is for accessory storage or disabled access upgrades.
2. Buildings and structures classified as F-1 Nut Hullers less than 12,001 square feet and unattached U occupancies as defined in Section 202 of the California Fire Code.

3. If the provisions of the 2019 California Fire Code Section 903.2.1 through 903.2.20 are more restrictive, then the more restrictive requirement shall apply.

**Hose Threads.**

Section 903.3.6 of the 2019 California Fire Code shall be amended to read as follows:

Fire hose threads and fittings used in connection with automatic sprinkler systems shall be "National Hose" (NH).

**Fire Protection Systems  
Fire Department Connections**

**Visible location.**

Section 912.2.1 of the 2019 California Fire Code shall be amended to add:

Fire department connections shall be within fifty (100) feet of a fire hydrant.

**Signs.**

Section 912.5 of the California Fire Code is amended to read as follows:

A metal sign with raised letters at least 1 inch (25 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable. Where the fire department connection serves a portion of a building or a specific building among multiple buildings a sign shall be provided to reflect the appropriate building or portion of a building served.

**Fire Protection Systems  
Fire Pumps**

**Meters and testing devices.**

Section 913 is amended by adding the following text to the end of the section:

Section 913.7 Meters and testing devices. Where fire pumps are provided, they shall have a test loop installed in accordance with the applicable portions of NFPA 20 Section 4.21.2.

**CHAPTER 11:**

**Construction Requirements for Existing Buildings  
Fire Safety Requirements for Existing Buildings**

**Emergency responder radio coverage in existing buildings.**

Section 1103.2 of the 2019 California Fire Code is amended to read as follows:

Existing buildings that do not have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety

communication systems of the jurisdiction shall be equipped with such coverage when any of the following conditions apply:

1. Where the use or occupancy group of the building has been changed and the use or occupancy is more hazardous.
2. Where the addition of metal racking systems, equipment, or interior walls utilizing metal, masonry or concrete materials that interfere with emergency responder radio coverage within the building as noted below:
  - a. Where multiple tenant spaces exist within a single structure, only the tenant space where improvements are made that trigger radio coverage shall have radio coverage. The improvements made to provide adequate radio coverage shall be designed, however, to have the capability to expand indoor radio coverage to all other areas of the building by adding cable and antennas if needed for subsequent improvements in these other areas of the building. Survivability of the cable pathway and "junction" locations between tenant spaces shall be addressed.
  - b. New metal racks (including required aisle and flue space) or equipment installed that increase existing metal racks (including required aisle and flue space) or equipment by 40% or greater of tenant spaces up to 100,000 square feet, 35% or greater of tenant spaces up to 400,000 square feet and 25% or greater of tenant spaces greater than 400,000 square feet shall require radio coverage.
  - c. New metal racks (including required aisles and flue spaces) or equipment that cover 30% or greater area of the tenant space where no such improvements previously existed shall require radio coverage in tenant spaces up to 100,000 square feet; 25% or greater of tenant spaces up to 400,000 square feet and 20% or greater of tenant spaces greater than 400,000 square feet.
  - d. New masonry or concrete walls and elevated floor/ceilings and metal- framed walls or floor/ceilings installed that increase existing masonry or concrete walls and elevated floor/ceilings and metal-framed walls and floor/ceilings (area calculation) by 40% or greater of tenant spaces up to 100,000 square feet, 35% or greater of tenant spaces up to 400,000 square feet and 25% or greater of tenant spaces more than 400,000 square feet shall require radio coverage.
  - e. New masonry or concrete walls and elevated floor/ceilings and metal-framed walls or floor/ceilings installed that cover 30% or greater area of the tenant space (area calculation) where no such improvements previously existed shall require radio coverage in tenant spaces up to 100,000 square feet, 25% or greater of tenant spaces up to 400,000 square feet and 20% or greater of tenant spaces more than 400,000 square feet.
3. Every building hereafter in which square footage of the building is increased by 50% or more within a three-year period and the total square footage of the building exceeds 10,000 square feet.

**Exception:**

- 1). Group R Division 3 Occupancies and buildings constructed entirely of structural members made of wood.

**APPENDIX B:**

**Fire-flow Requirements for Buildings**

**B105.2.**

Section B105.2 is amended by adding the following text to the end of the section: Exception:

5. A maximum reduction in required fire-flow of up to 50 percent, as approved by the fire code official, is allowed when the building is provided with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 as opposed to the 75% reduction values given for minimum fire flows in Table B105.2. A reduction in required fire-flow of up to 75 percent, as approved by the fire code official, is allowed for warehouse buildings of Type I, Type II, and Type III construction provided with ESFR automatic fire sprinkler systems. The resulting fire-flow for any of these reductions shall not be less than 1500 gallons per minute for the prescribed duration according to

Table B105.1(2). Reduction of fire-flow applies to the fire hydrants requirements as specified in Appendix C.

**APPENDIX BB:**

**Fire-flow Requirements for Buildings**

**BB105.1.**

Section BB105.1 of the 2019 California Fire Code is hereby amended to read as follows:

The minimum fire-flow and flow duration for school buildings shall be as specified in Table BB105.1.

Exception: A reduction in required fire flow of up to 50 percent is allowed when the building is provided with an approved automatic sprinkler system. When a reduction in fire flow is used, fire flow shall not be less than 1500 gallons per minute for the prescribed duration as specified in Table BB105.1. Reduction of fire-flow applies to the fire hydrants requirements as specified in Appendix CC.

**APPENDIX C:**

**Fire Hydrant Locations and Distribution**

Appendix C of the 2019 California Fire Code is hereby amended by adding section C106 to read as follows:

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

Table C102.1 Number and Distribution of Fire Hydrants, footnote “b” of the 2019 California Fire Code is hereby repealed and amended to read as follows:

Table C102.1 footnote “b”

b. Where streets are provided with median dividers that make access to hydrants difficult, cause time delay, or create undue hazard or both, or where arterial streets are provided with

four or more traffic lanes, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis.

**APPENDIX CC:**

**Fire Hydrant Locations and Distribution**

Appendix CC of the 2019 California Fire Code is hereby amended by adding section CC106 to read as follows:

Section CC106 Hydrant type. The fire code official shall approve the type of fire hydrants to be installed in the public right of way or on private property prior to any such installation. Table CC105.1 Number and Distribution of Fire Hydrants, footnote “b” of the 2019 California Fire Code is hereby repealed and amended to read as follows:

Table CC105.1 footnote “b”

b. Where streets are provided with median dividers that make access to hydrants difficult, cause time delay, or create undue hazard or both, or where arterial streets are provided with four or more traffic lanes, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis.

**Section 3** That the geographic limits referred to in certain sections of the 2019 California Fire Code are hereby established as follows:

Section 5704.2.9.6.1

All R-L, R-M, R-MH and R-H zoning designations as identified by the Title 9 of San Joaquin County Code;

Section 5706.2.4.4

All R-L, R-M, R-MH and R-H zoning designations as identified by the Title 9 of San Joaquin County Code;

Section 5806.2 add second paragraph to read as follows:

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. All R-L, R-M, R-MH and R-H zoning designations as identified by the Title 9 of San Joaquin County Code;

Section 6104.2

The incorporated boundary within the Tracy Rural Fire Protection District.

**Section 4** That Ordinance No. 2021-01 of the Tracy Rural Fire Protection District entitled Ordinance for Adoption of the 2019 California Fire Code and Providing for the Modification Thereof and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 5** That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 6** That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**Section 7** That the Tracy Rural Fire Protection District is hereby ordered and directed to cause notification of this proposed ordinance to be published.

**Section 8** That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect ON February 19, 2021 from and after the date of its final passage and adoption.

**Section 9** The Board of Directors of the Tracy Rural Fire Protection District finds its adoption of the 2019 Edition of the California Fire Code as set forth in this ordinance to be exempt from review under provisions of the California Environmental Quality Act (Public Resources Codes Section 21000 et seq., "CEQA") consistent with, among other things, the provisions of CEQA guidelines Section 15321 (Class 21) which exempts review of the adoption of a general rule of enforcement under CEQA.

I HEREBY CERTIFY that the foregoing Ordinance was duly adopted by the Tracy Rural Fire Protection District Board of Directors by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Dated:

---

John Muniz, Chairperson

Board of Directors

ATTEST:

The foregoing is certified to be a correct copy of the original on file in this office which has not been revoked and is now in full force and effect.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

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Raychel Jackson, Board Clerk

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Mark C. Bowman, Legal Counsel

California Fire Code 2019 Adoption					
Section	Title	Added to CFC	Deleted from CFC	Amended from CFC	Justification for building standards (See below for key justification)
103.1.1	Authority	X			
105.2.3	Time Limitation of Application			X	
105.3.2	Extensions			X	
105.6.52	Operational Permits: Christmas tree lots, haunted house or corn maze	X			
106.2.3	Reinspection Fee	X			
110.4	Violation Penalties			X	
110.5 – 110.5.14	Administrative Penalties and Remedies	X			
112.4	Failure to Comply			X	
202	FALSE ALARM – Definition			X	
307.1	Open Burning			X	A, B, & C
315.7	Outdoor Storage of Pallets			X	A, B, & C
315.7.2	Distance to Lot Line			X	A, B, & C
315.7.3	Storage Height			X	A, B, & C
Table 315.7.6(1)	Separation Distance Between Wood Pallet Stacks and Buildings			X	A, B, & C
315.7.8	Proximity to Other Combustible Yard Storage	X			A, B, & C
315.7.9	Operational Permit Required – Pallet Storage	X			A, B, & C
315.7.10	Fire Access	X			A, B, & C
315.7.11	Fencing	X			A, B, & C
315.7.12	Water Supply	X			A, B, & C
401.5.1	Cost Recovery	X			A, B, & C
503.6	Security Gates			X	A, B, & C
505.1	Address Identification			X	A, B, & C
506.1	Where Required			X	A, B, & C
506.3	Hazardous Materials Management Plan Box	X			A, B, & C

California Fire Code 2019 Adoption					
Section	Title	Added to CFC	Deleted from CFC	Amended from CFC	Justification for building standards (See below for key justification)
509.3	Fire Control Room				A, B, & C
603.4	Portable Unvented Heaters			X	A, B, & C
604.3.2	Main Disconnects	X			A, B, & C
903.2.21	New Construction	X			A, B, & C
903.3.6	Hose Threads			X	A, B, & C
912.2.1	Visible Location			X	A, B, & C
912.5	Signs			X	A, B, & C
1103.2	Emergency Responder Radio Coverage in Existing Buildings			X	A, B, & C
BB105.1	Fire-Flow Requirements for Buildings			X	A, B, & C
C106	Hydrant Type	X			A, B, & C
Table C102.1	Number and Distribution of Fire Hydrants			X	A, B, & C
CC106	Hydrant Type	X			A, B, & C
Table CC105.1	Number and Distribution of Fire Hydrants			X	A, B, & C

The preceding listed amendments are necessary to adequately protect the community on the basis of specific, local geologic, topographic and climatic conditions. The conditions are listed below and referenced as the justification for amending the building standards.

Key to Justification for Amendments to Title 24 of the California Code of Regulations

- A. Summer weather conditions are very dry, hot and windy causing ordinary combustibles to be easily ignited and fires to be fast spreading;
- B. Very dense fog conditions occur in winter. Reduced visibility causes delays in fire response; and

- C. The coverage area is intersected by Interstates 5, 205, and 580. The area experiences a large volume of commuter traffic that can delay fire and emergency service response.