

ORDINANCE NO. 908

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA AMENDING SECTION 15.02.110 OF CHAPTER 15.02 OF THE MUNICIPAL CODE TO MODIFY APPLICATION OF CERTAIN SECTIONS OF THE 2007 EDITION OF THE CALIFORNIA FIRE CODE AND THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE, AS ADOPTED BY THE TOWN OF CORTE MADERA, AND ADD A REQUIREMENT FOR THE INSTALLATION OF EXCESS FLOW GAS SHUT-OFF DEVICES OR GAS SHUT-OFF DEVICES THAT ARE ACTIVATED BY MOTION TO BE INSTALLED IN ALL NEW CONSTRUCTION, AND CERTAIN REMODELING.

The Town Council of the Town of Corte Madera does ordain as follows:

SECTION 1:

Section 15.02.110 (10) is hereby amended to read as follows:

Section 304.1.2 Fire Hazard Reduction

Section 304.1.2 Fire Hazard Reduction.

Weeds, grass, vines, or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

Any person who owns, leases, controls or maintains any building or structure within specific Wildland Urban Interface areas of the jurisdiction of the shall comply with the following: Cut and remove all pyrophytic combustible vegetation within 30 feet of structures, up to 150 feet when topographic or pyrophytic vegetative types necessitate removal as determined by the Fire Code Official. Remove piles of accumulated dead vegetation on the property. Cut and remove tree limbs that overhang wood decks and roofs. Remove that portion of any tree which extends within 10 feet of any chimney or stovepipe. Clean any leaves and needles from roof and gutters. Cut and remove growth less than 3-inches in diameter, from the ground up to a maximum height of 10 feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third of the tree's total height. Vegetation clearance requirements for new construction and substantial remodels in urban-wildland interface areas shall be in accordance with the 2006 International Wildland-Urban Interface Code, as amended by the Town of Corte Madera.

Section 15.02.110 (42.5) is hereby added to the Corte Madera Municipal Code as follows:

Section 915 of Chapter 9 is added to read as follows:

SECTION 915 -- GAS SHUT-OFF DEVICES

915.1 General.

915.1.1 Definition. For the purposes of this section certain terms shall be defined as follows:

"Downstream of gas utility meter" refers to all customer-owned gas piping or in liquid petroleum gas installations shall refer to the gas piping on the structure side of the gas regulator.

"Excess flow gas shut-off device" means those valves or devices that are not actuated by motion but are activated by significant gas leaks or over-pressure surges, which can occur when pipes rupture inside the structure. The design of the device provides a proven method to automatically provide for expedient and safe gas shut-off in an emergency. The design of the device shall provide a capability for ease of consumer or owner resetting in a safe manner.

"Seismic gas shut-off device" means a system consisting of a seismic sensing means and actuating means designed to actuate automatically a companion gas shut off means installed in a gas piping system in order to shut off the gas downstream of the location of the gas shut-off means in the event of a severe seismic disturbance. The system may consist of separable components or may incorporate all functions in a single body.

"Upstream of gas utility meter" refers to all gas piping installed by the utility up to and including the meter and the utility's bypass tee at the connection to the customer-owned piping.

"Gas shut-off device" as used in this section, refers to either a seismic gas shut-off device or excess flow gas shut-off device.

"Substantial Remodel" shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent of the existing floor area of the structure. When any structural changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for

purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

915.2 General.

915.2.1 Devices: When Required.

Approved gas shut-off devices shall be installed:

1. In every newly constructed building and facility.
2. In newly created second units.
3. In all buildings which have more than fifty per cent (50%) floor area added or any “substantial remodel,” as defined in this ordinance, within any twenty-four (24) month period.
4. In all buildings, except R-3 occupancies, in excess of 3,000 sq. ft., which have more than ten per cent (10%) floor area added within any twenty-four (24) month period.
5. Whenever any new gas piping is installed.

EXCEPTIONS:

1. Gas shut-off devices installed on a building prior to effective date of this ordinance are exempt from the requirements of this section, provided they remain installed on the building or structure and are maintained for the life of the building or structure.
2. Gas shut-off devices installed on a gas distribution system owned or operated by a public utility shall not be subject to the requirements of this chapter (Health & Safety Code Section 19201(b)).

915.2.2 Devices: Location Required.

1. Seismic gas shut-off devices shall be installed downstream of the gas utility meter on each fuel gas line where the gas line serves a building; and/or

2. Excess flow gas shut-off devices shall be installed downstream of the gas utility meter on each fuel gas line where the gas line serves a building and at each gas appliance within a building.

915.3 General Requirements.

Gas shut-off devices installed either in compliance with this ordinance or voluntarily, with a permit issued on or after the effective date of this ordinance, shall comply with the following requirements:

1. Be installed in accordance with the manufacturer's instructions;
2. In the case of seismic gas shut-off devices (motion sensitive) only, such devices must be mounted rigidly to the exterior of the building or structure containing the fuel gas piping. This requirement need not apply if the device (motion sensitive) has been tested and listed for an alternate method of installation;
3. Seismic gas shut-off devices shall be certified by the State Architect and be listed by an approved listing and testing agency such as IAS, IAMPO, UL, or the Office of the State Architect;
4. Have a thirty (30) year warranty which warrants that the valve or device is free from defects and will continue to properly operate for thirty (30) years from the date of installation; and
5. Where gas shut-off devices are installed voluntarily, or as required by this section, they shall be maintained for the life of the building or structure or be replaced with a valve or device complying with the requirements of this section.

915.4 List of Approved Valves and Devices.

The Town's Fire Department shall maintain a list of all gas shut-off devices which meet or exceed the requirements of devices certified by the Office of the State Architect for installation in the State of California and which comply with the standards and criteria set forth in Health and Safety Code Section 19180 et seq., including quality and design regulation for earthquake actuated automatic gas shut-off systems (see 24 Cal. Code Regs. Ch. 12-16-1).

SECTION 2: Severability:

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance.

The Town Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsection, phrases, or clauses be declared unconstitutional on their face or as applied.

SECTION 3:

Pursuant to Sections 17958.5 and 17958.7 of the State of California Health and Safety Code, the Town Council finds that the adoption of certain construction standards which may be stricter than those set forth pursuant to the State's earthquake protection law (Health & Safety Code Section 19100 et seq.) are needed and are reasonably necessary because of local climatic, geologic, and topographic conditions.

These conditions are enumerated in Ordinance 902.

SECTION 4: Publication and Effective Date:

This ordinance shall be published in accordance with applicable provisions of law, by either:

 publishing the entire ordinance once in the Marin Independent Journal, a newspaper of general circulation, published in the Town of Corte Madera, within fifteen (15) days after its passage and adoption, or

 publishing the title or appropriate summary in the Marin Independent Journal at least five (5) days prior to adoption, and a second time within fifteen (15) days after its passage and adoption with the names of those Town Council members voting for and against the ordinance, and

This ordinance shall go into effect thirty days after the date of its passage and adoption.

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I, the undersigned, hereby certify that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 908 of the Town of Corte Madera entitled as above; was introduced on October 7, 2008, and that it was adopted by the Town Council on October 21, 2008 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

/s/
Christine Green, Town Clerk

APPROVED:

/s/
Michael Lappert, Mayor