

**ORDINANCE NO. 2023-01**

**ORDINANCE OF THE NORTH SONOMA COAST FIRE PROTECTION DISTRICT ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS ADOPTED BY THE COUNTY OF SONOMA**

**WHEREAS**, the North Sonoma Coast Fire Protection District (“District”) is a duly recognized independent fire protection district in the state of California formed pursuant to the Fire Protection District Law of 1987, California Health and Safety Code section 13800 et seq.;

**WHEREAS**, pursuant to Title 24 of the California Code of Regulations (the California Building Standards Code or “CBSC”) and California Health and Safety Code section 13869, the District may adopt a fire prevention code by reference and may also establish more stringent local building standards relating to fire and safety than those in the CBSC; and

**WHEREAS**, on December 6, 2022, the County of Sonoma (“County”) reviewed and adopted by reference Title 24, Part 9 of the California Code of Regulations, 2022 Edition of the California Fire Code with selected local changes based on local findings in support thereof (“County Ordinance 6396”); and

**WHEREAS**, the District desires to provide fire protection services and conduct life safety and fire prevention inspections within its jurisdictional boundary as allowed by law; and

**WHEREAS**, the District desires to adopt by reference the 2022 Edition of the California Fire Code with local amendments contained in County Ordinance 6396 (together referred to as the “District Fire Code”).

**NOW, THEREFORE, THE DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. RECITALS.**

The above recitals are true and correct and are incorporated herein.

**SECTION 2. REPEAL OF PREVIOUS CODE.**

The District hereby repeals any and all fire codes previously adopted by reference, including but not limited to the Sonoma County Fire Safety Ordinance 6184 adopted by reference in January 2017.

**SECTION 3. ADOPTION OF THE 2022 CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS CONTAINED IN SONOMA COUNTY ORDINANCE 6396.**

The District hereby adopts by reference the 2022 California Fire Code (Title 24, Part 9 of the

California Code of Regulations) with the changes, additions, and deletions set forth in County Ordinance 6396 (attached hereto as Exhibit A and incorporated herein). By such adoption, the District hereby makes all findings contained in County Ordinance 6396, including that any and all amendments contained in County Ordinance 6396 are reasonably necessary because of local conditions, including local climatic, geological, and topographical conditions.

#### SECTION 4. SEVERABILITY.

It is the intent of the District to comply with applicable state and federal law and not to contradict such law, and this Ordinance shall be construed consistently with that intention. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases of this ordinance, or its application to any other person or circumstance. The District hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof independently, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases hereof be declared invalid or unenforceable.

#### SECTION 5. ENVIRONMENTAL REVIEW.

The District has concluded that this action of adopting this ordinance does not meet the definition of a project pursuant to Public Resources Code §21065 and is exempt from the California Environmental Quality Act ("CEQA"). The proposed local amendments are simply amendments to existing state regulations which are already substantially in extant and in practice and required by state law and are intended to continue local regulations, improve clarity, update existing standards to reflect modern fire prevention policy and equipment requirements and ensure consistency. Alternatively, the District finds this ordinance exempt pursuant to CEQA Guidelines 15307 and 15308 in that the standards set forth in the ordinance are authorized by state law to assure the maintenance, restoration, enhancement or protection of natural resources and the environment. In addition, the District finds and determines that this ordinance is exempt from CEQA pursuant to the common-sense exemption Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that the proposed modifications and clarifications to construction and fire safety policy and standards, which are already substantially in extant and in practice and required by state law, may have a significant effect on the environment.

#### SECTION 6. PUBLICATION AND EFFECTIVE DATE.

This Ordinance shall take effect and be in force 30 days from the date of its passage, and before the expiration of 15 days after its passage, it or a summary of it shall be published in a newspaper of general circulation with the names of the Board members voting for or against the same.

Passed, approved, and adopted by the Board of Directors of the North Sonoma Coast Fire Protection District on this 21<sup>st</sup> day of March by the following vote:

AYES: 4

NOES: 0

ABSTAIN: 0

ATTEST:

Tina Colson

Clerk of the Board

**EXHIBIT A**  
**SOMONA COUNTY ORDINANCE NO. 6396**