

Ordinance No. #9179 adopted 11/8/2022

Section 12. Chapter 17.32, Title 17 of the Ordinance Code of the County of Kern, is hereby repealed; and a new Chapter 17.32, Title 17 of the Ordinance Code of the County of Kern, is hereby added to read as follows:

**CHAPTER 17.32
FIRE CODE**

Sections:

- 17.32.001 California Fire Code – Adopted**
- 17.32.005 Section 101.1 amended – Title**
- 17.32.010 Section 103.1 amended – Creation of Agency**
- 17.32.015 Section 103.2 amended – Appointment**
- 17.32.020 Section 103.3 amended – Fire Personnel and Police**
- 17.32.025 Section 105.1.1 amended – Permits Required**
- 17.32.030 Section 105.5 amended – Required Operational Permits**
- 17.32.035 Section 105.6 amended – Required Construction Permits**
- 17.32.040 Section 108.2.1 amended – Inspection Requests**
- 17.32.045 Section 111.1 amended – Board of Appeals established**
- 17.32.050 Section 112.4 amended – Violation Penalties**
- 17.32.055 Social Host Liability – Fireworks**
- 17.32.060 Section 113.4 amended – Failure to Comply**
- 17.32.065 Section 202 amended – General Definitions**
- 17.32.070 Section 305.6 added – Hazardous Environmental Conditions**
- 17.32.075 Section 324 added – Cannabis Operations**
- 17.32.080 Section 401.3 amended – Emergency Responder Notification**
- 17.32.085 Section 403 amended – Emergency Preparedness Requirements**
- 17.32.090 Section 503.1.1 amended – Buildings and Facilities**
- 17.32.095 Section 503.2.1 amended – Dimensions**
- 17.32.100 Section 503.4 amended – Obstruction of Fire Apparatus Access Roads**
- 17.32.105 Section 507 amended – Fire Protection Water Supplies**
- 17.32.110 Appendix D Section D103.6 amended – Fire Lanes**
- 17.32.115 Section 703.1.1 added – Maintenance**
- 17.32.120 Section 806.1.1 amended – Restricted Occupancies**
- 17.32.125 Section 903.2.1 amended – Group A**
- 17.32.130 Section 903.2.1.1 amended – Groups A-1, A-3 and A-4**
- 17.32.135 Section 903.2.1.3 deleted – Group A-3**
- 17.32.140 Section 903.2.1.4 deleted – Group A-4**
- 17.08.145 Section 903.2.2.1 added – Group B**

- 17.32.150 Section 903.2.3 amended – Group E**
- 17.32.155 Section 903.2.4 amended – Group F**
- 17.32.160 Section 903.2.7 amended – Group M**
- 17.32.165 Section 903.2.8.5 added – Manufactured Homes**
- 17.32.170 Section 903.2.9 amended – Group S-1**
- 17.32.175 Section 903.2.9.1 amended – Repair Garages**
- 17.32.180 Section 903.2.10 amended - Group S-2**
- 17.32.185 Section 903.2.11.3 amended – Multi-story Buildings and Buildings 55 feet or more in height**
- 17.32.190 Section 903.3.1.2.3 amended – Attics**
- 17.32.195 Section 903.3.10 added – Fire Sprinkler Control Room**
- 17.32.200 Section 903.6 amended – Existing Buildings**
- 17.32.205 Section 905.5.3 deleted – Class II System 1-inch Hose**
- 17.32.210 Section 907.2.1 amended – Group A**
- 17.32.215 Section 907.2.8.1 amended – Manual Fire Alarm System**
- 17.32.220 Section 907.2.9.1 amended – Manual Fire Alarm System**
- 17.32.225 Section 907.11 added – Fire Alarm Control Room**
- 17.32.230 Chapter 11 amended – Construction Requirements for Existing Buildings**
- 17.32.235 Section 1201.1 amended – Scope**
- 17.32.240 Chapter 26 deleted – Fumigation and Insecticidal Fogging**
- 17.32.245 Section 3703.4 amended – Agricultural Products**
- 17.32.250 Chapter 39 amended – Cannabis Cultivation, Processing and Extraction Facilities**
- 17.32.255 Section 5001.7 added – Facility Correction Plan**
- 17.32.260 Sections 5601.1.3 amended – Fireworks**
- 17.32.265 Section 5604.1.1 added – Storage within Established Limits**
- 17.32.270 Section 5614 added – Safe and Sane Fireworks**
- 17.32.275 Section 5704.2.7.10 amended – Leak Reporting**
- 17.32.280 Section 5704.2.9.6.1 amended – Locations Where Above-ground Tanks are Prohibited**
- 17.32.285 Section 5706.2.4.4 amended – Locations Where Above-ground Tanks are Prohibited**
- 17.32.290 Section 5706.3.1.3 amended – Buildings**
- 17.32.295 Section 5706.3.3.3 amended – Security**
- 17.32.300 Section 5804.2.1 added – Maximum Aggregate Capacity**
- 17.32.305 Section 5806.2 amended – Limitations**
- 17.32.310 Section 6104.2 amended – Maximum Capacity within Established Limits**
- 17.32.315 Section 6104.4 amended – Multiple LP-Gas Container Installation**

- 17.32.320 Section 6108.1 amended – General**
- 17.32.325 Chapter 80 amended – Referenced Standards**
- 17.32.330 Appendix D Section D103.3 amended – Turning Radius**
- 17.32.335 Appendix D Section D103.4 and Table D103.4 amended – Dead-ends**

17.32.001 California Fire Code – Adopted.

California Code of Regulations, Title 24, Part 9, 2022 Edition of the California Fire Code being that portion of the California Building Standards Code that imposes substantially the same requirements as are contained in the International Fire Code, 2021 Edition published by the International Code Council and the California Building Standards Commission with errata, together with those portions of the International Fire Code, 2021 Edition, including Appendices B, C, D, and H published by the International Code Council not included in the California Building Standards Code, as modified and amended by this chapter, are adopted by this reference into this Chapter, and are hereby collectively declared to be the Kern County Fire Code for the purpose of regulating the safeguarding of life, property, and public welfare to a reasonable degree from the hazards of fire, hazardous materials release and explosion arising from the storage, use and handling of dangerous and hazardous materials, substances and devices, conditions hazardous to life or property in the occupancy and use of buildings and premises, the operation, installation, construction, location, safeguarding and maintenance of attendant equipment, the installation and maintenance of adequate means of egress not provided for by the Building Code, and providing for the issuance of permits and collection of fees therefore.

17.32.005 Section 101.1 amended – Title.

Section 101.1 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

101.1 Title. These regulations shall be known as the Kern County Fire Code, hereinafter referred to as “this code.”

17.32.010 Section 103.1 amended – Creation of Agency.

Section 103.1 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

103.1 Creation of agency. The Office of Fire Prevention is hereby created. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

17.32.015 Section 103.2 amended – Appointment.

Section 103.2 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

103.2 Appointment. The fire code official is designated as the Fire Chief of the Kern County Fire Department. The fire code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

17.32.020 Section 103.3 amended – Fire Personnel and Police.

Section 103.3 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

103.3 Fire Personnel and Police. All chief officers, captains, and engineers, of the Kern County Fire Department shall have the powers of a peace officer in performing their duties under this code.

When requested to do so by the Fire Chief, the Sheriff or the Chief of Police is authorized to assign such available law enforcement officers as necessary to assist the fire department.

17.32.025 Section 105.1.1 amended – Permits Required.

Section 105.1.1 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

105.1.1 Permits Required. Permits required by this code shall be obtained from the Fire Prevention Office. Applications for permits shall be made in such form and detail as prescribed by the Fire Chief. Applications for permits shall be accompanied by such plans as required by the Chief.

The Fire Chief, Fire Marshal, and the Building Official shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in this code. The Fire Marshal shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

Any applicable permit fees shall be paid at the time of application for the permit. The fees shall be established by the Board of Supervisors.

A penalty fee shall be assessed to the owner or operator for failure to obtain a permit prior to commencing an operation for which a permit is required in Sections 105.5 and 105.6.

17.32.030 Section 105.5 amended – Required Operational Permits.

Section 105.5 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

105.5 Required Operational Permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.5.1 through 105.5.15. An operational permit shall be obtained from the Fire Department prior to engaging in the following activities:

105.5.1 Burning. An operational permit is required to ignite or cause to be ignited tumbleweeds, agricultural waste or other combustible material as provided for by the Rules and Regulations of the Air Pollution Control District with jurisdiction.

105.5.2 Business Operating Permit. An operational permit is required to conduct business or operate a facility or business in all occupancies other than Groups R-2, R-3, R-3.1 and U.

105.5.3 Explosives or Blasting Agents. An operational permit is required for the storage of any quantity of explosives, or explosive materials within the scope of Chapter 56.

EXCEPTION: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale, and in accordance with Section 5606.

105.5.4 Filming. An operational permit is required to conduct filming operations.

105.5.5 Fireworks Booths. An operational permit is required to operate a booth for the sale of Safe and Sane Fireworks.

105.5.6 High-piled Combustible Storage Permit. An operational permit is required to use a building or portion thereof with more than 500 square feet (46 m²) of high-piled combustible storage.

105.5.7 Mobile Fueling Permit. An operational permit is required to engage in the dispensing of liquid or gaseous fuels into the fuel tanks of motor vehicles from tank vehicles at locations other than at a fuel dispensing station.

105.5.8 Model Rocket Engines. An operational permit is required to sell or offer for sale model rocket engines as defined in Section 5611.

105.5.9 Place of Assembly. An operational permit is required to conduct an assembly with 50 or more attendees in a facility which is not designed or constructed as an assembly occupancy.

105.5.10 Public Displays. An operational permit is required to store, discharge or use explosives or fireworks, other than Safe and Sane Fireworks at a public gathering.

105.5.11 Special Effects/Operations. An operational permit is required to store, discharge or use special effect materials, such as pyrotechnic special effects materials, fireworks, explosives or open flame, or operate aircraft or drones for filming or theatrical purposes.

105.5.12 Cannabis Cultivation. An operational permit is required to operate a commercial indoor cannabis cultivation operation.

105.5.13 Plant Extraction System. An operational permit is required to use a plant extraction system.

105.5.14 Carbon Dioxide Enrichment System. An operational permit is required for a carbon dioxide enrichment system having more than 874 standard cubic feet (100 pounds) of carbon dioxide.

105.5.15 Outdoor Assembly Event. An operational permit is required to conduct an outdoor assembly event where planned attendance exceeds 1000 persons.

17.32.035 Section 105.6 amended – Required Construction Permits. Section 105.6 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

105.6 Required Construction Permits. The *fire code official* is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.21.

A construction permit shall be obtained from the Fire Department prior to engaging in the following activities, operations, practices or functions:

105.6.1 CO2 for Beverage Dispensing. A construction permit is required to install, alter or modify a liquefied carbon dioxide system utilized for beverage dispensing with more than 100 pounds of carbon dioxide.

105.6.2 CNG Storage or Dispensing Facility. A construction permit is required to install, alter or modify a compressed natural gas storage container or dispensing facility.

105.6.3 Emergency Responder Radio Coverage System. A construction permit is required for installation of or modification to emergency responder radio coverage systems and related equipment. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

105.6.4 Electrified Security gates or fences. A construction permit is required to install, alter or modify a gate or fence which is designed to provide security to a premises by discharging an electric shock to intruders. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

105.6.5 Fire Alarm Systems. A construction permit is required to install, alter or modify a fire alarm system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.6.6 Fire-Extinguishing Systems. A construction permit is required to install, alter or modify a fire-extinguishing system which uses halon, CO2, dry

chemicals, liquid agent or other extinguishing agent. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.6.7 Flammable or Combustible Liquid Tanks. A construction permit is required:

- A. To install an aboveground tank with a storage capacity of one hundred twenty five (125) gallons or more, which will hold flammable or combustible liquids.

EXCEPTION: A permit shall not be required for an oil production, refining or pipeline transportation tank when such tank or group of tanks spaced less than fifty (50) feet (1542 mm) apart, shell to shell, has a liquid surface area of fifteen hundred (1500) square feet (139 m²) or less, or has a capacity of less than one hundred (100) barrels.

- B. To alter, rehabilitate, or place temporarily out of service or otherwise dispose of any flammable or combustible liquid tank which is not related to oil production, refining or pipeline transportation activities.
- C. To abandon or dispose of any aboveground flammable or combustible liquid tank.

105.6.8 LP-Gas Tanks. A construction permit is required to install, alter or modify an LP-gas container of one hundred twenty-five (125) gallon water capacity or more at other than a single-family residence. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.6.9 LP-Gas Dispensing. A construction permit is required to install, alter or modify an LP-gas container of one hundred twenty-five (125) gallon water capacity or more when such tank is capable of dispensing LP-gas into other tank vessels. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.6.10 Fire Pumps. A construction permit is required to install, alter or modify a fire pump and related fuel tanks, jockey pumps, controllers and generators.

105.6.11 Spraying Operations. A construction permit is required to install, alter or modify a spray room or spray booth utilizing flammable or combustible liquids, or flammable finishes. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

105.6.12 Dipping Operations. To construct, alter or modify a dip tank or dipping operation utilizing flammable or combustible liquids, or flammable finishes. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

105.6.13 Sprinkler Systems. A construction permit is required to install, alter or modify a fire sprinkler system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.6.14 Standpipe Systems. A construction permit is required for the installation, modification, or removal from service of a standpipe system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.6.15 Energy storage systems. A construction permit is required to install, alter or modify an energy storage system regulated by this code. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.6.16 Tents Air-Supported Membrane Structures and Temporary Special Event Structures. A construction permit is required to erect a temporary air-supported membrane structure, a temporary special event structure or a tent having an area in excess of 400 square feet (37 m²).

EXCEPTIONS:

1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains or extensions attached thereto, when used for funeral services.
3. Tents and awnings open on all sides which comply with all of the following:
 - 3.1. Individual canopies shall have a maximum size of 700 square feet (65 m²).
 - 3.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total.
 - 3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.

105.6.17 Underground Water Piping System for Fire Protection. A construction permit is required to install, alter or modify underground piping for fire hydrants or water systems.

105.6.18 Cannabis Facility. A construction permit is required to construct, alter or modify a building for cannabis cultivation or processing.

105.6.19 Carbon Dioxide Enrichment System. A construction permit is required to install, alter or modify a carbon dioxide enrichment system having more than 874 standard cubic feet (100 pounds) of carbon dioxide.

105.6.20 Gas Detection System. A construction permit is required to install, alter or modify a gas detection system. Maintenance performed in

accordance with this code is not considered a modification and shall not require a permit.

105.6.21 Plant Extraction System. A construction permit is required to install, alter or modify a plant extraction system. Maintenance performed in accordance with this code is not considered a modification and does not require a construction permit.

17.32.040 Section 108.2.1 amended – Inspection Requests.

Section 108.2.1 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

108.2.1 Inspection Requests. It shall be the duty of the permit holder or their duly authorized agent to notify the fire code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that is required by this code. Every request for inspection shall be filed not less than two working days before such inspection is desired. Such request may be in writing or by telephone.

17.32.045 Section 111.1 amended – Board of Appeals established.

Section 111.1 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

111.1 Board of Appeals established. Any decision of the fire code official relating to the interpretation of this code, or to the standards referred to hereinabove, shall be subject to appeal to the Board of Building Appeals, upon payment of the fee required for Kern County Building Code appeals to that Board. Any decision of the Board of Building Appeals shall be subject to appeal to the Board of Supervisors, as provided by Section 17.04.160 of this code.

17.32.050 Section 112.4 amended – Violation Penalties.

Section 112.4 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

112.4 Violation Penalties.

- A. Except as provided herein, any person who shall violate a provision of this code or who shall fail to comply with any of the requirements thereof or fail to comply with any order made thereunder by competent authority, or who shall erect, install, alter, repair or do work which deviates from any specifications or plans submitted to and approved by the Fire Marshal, or of a permit or certificate issued under provisions of this code shall for each and every such violation or failure to comply be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not more than \$1,000, or by

imprisonment in the county jail of the County of Kern for not more than six months, or both such fine and imprisonment.

- B. Any person who violates Chapter 56 or Sections 17.32.055 or 17.32.270 of this code shall be assessed an administrative penalty. An administrative penalty under this paragraph shall be a fine not exceeding one thousand five hundred dollars (\$1,500.00) for the first violation; a fine not exceeding two thousand dollars (\$2,000.00) for a second violation within five years from the date of the first violation; and a fine not exceeding two thousand five hundred dollars (\$2,500.00) for each additional violation within five years from the date of the first violation. Pursuant to California Health and Safety Code section 12557, an administrative fine for possession, pursuant to this paragraph, shall only be assessed to a person who possesses or the seizure of twenty-five (25) pounds or less of dangerous fireworks.
- C. The administrative penalty for any violation of any other section of this code shall be provided in Kern County Ordinance Code Section 8.54.120.
- D. Any administrative penalty collected pursuant to this code shall not be subject to California Health and Safety Code Section 12706, but shall be used to reimburse the Office of the State Fire Marshal for the actual cost of the transportation and disposal of illegal fireworks seized under this code.
- E. All enforcement of administrative penalties shall be conducted pursuant to Chapter 8.54 of the Kern County Ordinance Code.
- F. Notwithstanding any other provision in this code, an alternative administrative penalty may be assessed for violation of Sections 17.32.055 and 17.32.270 of this code in the event the responsible party is a juvenile, i.e., under the age of eighteen (18), whereby the juvenile may elect to serve in a community service program, as approved by the County's program administrator or as designated by the Board of Supervisors, and pay any required program fees.
 - (1) Participation in an approved community service program, through election by the juvenile, will result in a reduction of the administrative penalty of one thousand five hundred dollars (\$1,500.00), commensurate with the hours served based on the current minimum wage applicable in California. The approved community service hours shall be determined, as appropriate, depending on the amount of the administrative

penalty is reduced by the hearing officer or the Board of Supervisors.

- (2) The community service program shall retain the discretion to admit, or deny admission to, the program as the standards and program policies applicable to that program allow. Failure to gain admission to a community service program shall restore the original administrative penalty of one thousand five hundred dollars (\$1,500.00), immediately and without further right to appeal.
 - (3) Failure by a juvenile to complete the alternative community service penalty within one (1) calendar year of the issuance of the citation shall result in the penalty being converted to an administrative penalty of one thousand five hundred dollars (\$1,500.00).
 - (4) The option of a juvenile to complete community service for a reduction of the administrative penalty shall not be available for subsequent violations of these sections of this code.
 - (5) If a citation issued to a juvenile under this section is appealed under any provision of this code, the administrative penalty shall be deposited with the County as a condition of the appeal. If the appeal is not successful and the juvenile elects to complete an approved community service program in lieu of payment of the administrative penalty, the person that deposited the administrative penalty shall be entitled to a refund of the deposit less actual administrative fees paid by the County to the County's program administrator upon timely and successful completion of the community service program by the juvenile.
- G. A conviction for any offense under the provisions of this code shall not excuse the violation or authorize its continuance and the person or persons convicted of such offense shall be required to correct or remedy any condition or installation which fails to comply with the requirements of this code with reasonable diligence. Each day that a condition prohibited by the provisions of this code is caused or permitted to be maintained or continued shall constitute a separate and distinct offense.

17.32.055 Social Host Liability – Fireworks.

- A. Findings, Intent and Purpose.

1. Findings. The Board of Supervisors, pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws which promote the public health, safety and general welfare of its residents. The illegal possession, manufacture, storage, sale, handling and use of fireworks, as described in Section 17.32.270 of this code, on private property is harmful to and creates a threat to public health, safety, quiet enjoyment of residential property and the general welfare. While the discharge of illegal fireworks can be tied to a particular residence or property, it is often difficult to tell who at the residence or property discharged the illegal firework(s). The owner or tenant of the premises is often in the best position to control, and knows or should know of the possession, manufacture, storage, sale, handling and use of illegal fireworks on his/her residence or commercial premises. The Board of Supervisors finds that in too many cases, persons having possession or control of private property where the illegal possession, manufacture, storage, sale, handling and use of fireworks occurs, have failed to ensure that illegal fireworks are not possessed, manufactured, stored, sold, handled or used on their property. Furthermore, problems associated with the illegal possession, manufacture, storage, sale, handling and use of fireworks are difficult to prevent and deter unless the fire chief, sheriff, or other designated official of the County of Kern has the legal authority to cite the owner or tenant of the premises where illegal fireworks are possessed, manufactured, stored, sold, handled or used.

2. Intent. The intent of this section is to protect the public health, safety, quiet enjoyment of residential property, and general welfare, rather than to punish. An ordinance that imposes liability on property owners or tenants for allowing the possession, manufacture, storage, sale, handling or use of illegal fireworks on their property is necessary to deter and prevent such possession, manufacture, storage, sale, handling or use and to deter persons who actively and passively aid, allow, or tolerate such activities on their property.

3. Purposes. The purposes of this section are to protect the public health, safety and general welfare, to deter the possession, manufacture, storage, sale, handling or use of illegal fireworks, and to reduce the costs of providing police, fire, and other emergency response services to areas where illegal fireworks are being possessed, manufactured, stored, sold, handled or used. These purposes are implemented by the imposition of a civil money penalty against social hosts (landowners or tenants) who actively or passively aid, allow or tolerate the possession, manufacture, storage, sale, handling or use of illegal fireworks on their property.

4. Declaration. For these reasons, the Board of Supervisors declares that the possession, manufacture, storage, sale, handling or use of illegal fireworks is a threat to the peace, health, safety and general welfare of the public. Such actions constitute a public nuisance as they affect at the same time the entire community of Kern County as well as the neighborhoods in which they occur. The nuisance created thereby presents an immediate threat to the public health and safety, warranting summary abatement by the fire chief, sheriff or other designated county official under Government Code Section 25845, subdivision (a).

B. Definitions. For the purposes of this section, the following terms shall have the following meanings:

1. "Responsible person" means a person or persons with a right of possession of the residence or other private property at which illegal fireworks are possessed, manufactured, stored, handled or used, including but not limited to:
 - a. Any owner of the residence or other private property, meaning the record owner of the title to property as of the time of the possession, manufacture, storage, sale, handling or use of illegal fireworks, wherever that person or entity resides at that time;
 - b. A tenant or lessee of the residence or other private property at the time when illegal fireworks are possessed, manufactured, stored, handled or used;
 - c. The person(s) in charge of the residence or other private property at the time when illegal fireworks are possessed, manufactured, stored, sold, handled or used;
 - d. The person(s) who organizes, supervises, officiates, conducts or controls the gathering or any other person(s) accepting responsibility for such a gathering where illegal fireworks are possessed, manufactured, stored, sold, handled or used;

A responsible person need not be present at the time illegal fireworks are possessed, manufactured, stored, sold, handled or used in order for the county to impose civil money penalties upon such responsible person. Prior knowledge of the possession, use, manufacture, storage, sale, handling or use of illegal fireworks is not prerequisite to a finding that any specific individual is a responsible person as defined by this section.

2. "Residence" or "other private property" means a home, yard, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall, meeting room, office, land or building, whether occupied on a temporary or permanent basis, whether occupied as a dwelling, business, or location for parties or other social functions, and whether owned. Leased, rented, or used with or without compensation.
- C. 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 County of Kern is required to maintain, manage and supervise the property and all persons thereon in a manner so as not to violate the provision of this section. The owner of the property may remain liable for such violations regardless of any contract or agreement with any third party regarding the property.
- D. Penalties for Violation.
1. It is a civil violation of this section, and a public nuisance constituting an immediate threat to public health and safety warranting summary abatement, for any responsible person to conduct or allow illegal possession, manufacture, storage, sale, handling and use of fireworks on his/her residential or other private property. Such a violation subjects any and all responsible persons to the civil money penalties specified in Section 17.32.050, Paragraph B of this code.
 2. In the event that a juvenile hosts a gathering at a residence or other private property at which illegal possession, manufacture, storage, sale, handling and use of fireworks occurs, then the parents or guardians of that juvenile will be jointly and severally liable for any penalties incurred pursuant to this section.
 3. In the event that a juvenile is found to be a responsible person as defined by this section, the juvenile may elect to serve in a community service program as specified in Section 17.32.050 of this code.
 4. The parents or guardians of a juvenile found to be a responsible person as defined by this section, may also elect to have that juvenile serve in a community service program as specified in Section 17.32.050 of this code.

17.32.060 Section 113.4 amended – Failure to Comply.

Section 113.4 of Chapter 1 *DIVISION II ADMINISTRATION* of the Kern County Fire Code is amended to read as follows:

113.4 Failure to Comply. 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 \$500 dollars or more than \$1,000.

17.32.065 Section 202 amended – General Definitions.

Section 202 of the Kern County Fire Code is amended by modifying the definition of Factory Industrial F-1 Moderate-hazard occupancy to read as follows:

FACTORY INDUSTRIAL F-1 MODERATE-HAZARD OCCUPANCY. Factory industrial uses that are not classified as Factory Industrial F-2 Low Hazard shall be classified as F-1 Moderate Hazard and shall include, but not be limited to, the following:

- Aircraft (manufacturing, not to include repair) Aircraft manufacturing facilities shall comply with Section 412.6 of the California Building Code
- Appliances
- Athletic equipment
- Automobiles and other motor vehicles
- Bakeries
- Beverages; over 16-percent alcohol content
- Bicycles
- Boats
- Brooms or brushes
- Business machines
- Cameras and photo equipment
- Cannabis cultivation, extraction and processing not classified as Group H
- Canvas or similar fabric
- Carpets and rugs (includes cleaning)
- Clothing
- Construction and agricultural machinery
- Disinfectants
- Dry cleaning and dyeing
- Electric generation plants
- Electronics
- Energy storage systems (ESS) in dedicated-use buildings
- Engines (including rebuilding)
- Food processing and commercial kitchens not associated with restaurants, cafeterias and similar dining facilities more than 2,500 square feet (232 m²) in area.
- Furniture
- Hemp products
- Jute products

Laundries
Leather products
Machinery
Metals
Millwork (sash and door)
Motion picture and television production studio Sound Stages, Approved
Production Facilities and production locations (without live
audiences)
Musical instruments
Optical goods
Paper mills or products
Photographic film
Plastic products
Printing or publishing
Recreational vehicles
Refuse incineration
Shoes
Soaps and detergents
Textiles
Tobacco
Trailers
Upholstering
Water/sewer treatment facilities
Wood; distillation
Woodworking (cabinet)

17.32.070 Section 305.6 added – Hazardous Environmental Conditions.

Section 305.6 is added to Chapter 3 of the Kern County Fire Code to read as follows:

305.6 Hazardous Environmental Conditions. When the Fire Chief determines that hazardous environmental conditions necessitate restricted use of open flame or other ignition sources, the Fire Chief is authorized to prohibit the use or ignition of any such materials.

17.32.075 Section 324 added – Cannabis Operations.

Section 324 is added to Chapter 3 of the Kern County Fire Code to read as follows:

324 CANNABIS OPERATIONS

324.1 General. Cannabis operations are only permitted where local codes and regulations allow such operations. In addition to other code requirements, cannabis cultivation shall comply with Section 324.3, and cannabis stores shall comply with Section 324.4. Cannabis extraction and processing shall comply with Chapter 39.

324.2 Permits. Permits shall be required as set forth in Sections 105.5 and 105.6.

324.3 Indoor Cultivation. Commercial operations for the cultivation of cannabis inside a structure shall be in accordance with Sections 324.3.1 through 324.3.5.

324.3.1 Occupancy Classification. Structures for the commercial cultivation of cannabis shall be classified as Group F-1.

324.3.2 Automatic Sprinkler System. Buildings containing commercial indoor cultivation of cannabis shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1.

324.3.3 Carbon Dioxide Enrichment. Buildings utilizing carbon dioxide enrichment systems shall comply with Section 5307.4.

324.3.4 Hazardous Materials. Hazardous materials storage and use shall be in accordance with this code.

324.3.5 Storage. Aisles and corridors shall be maintained open and unobstructed. Storage is prohibited in corridors.

324.3.6 Fumigation Restriction. Fumigation processes consisting of heating sulfur and creating sulfur dioxide are prohibited.

324.4 Retail Sales and Dispensing. The retail sale or dispensing of cannabis or cannabis products shall only occur in a retail cannabis store.

324.4.1 Occupancy Classification. Retail cannabis stores shall be considered a Group M occupancy.

324.4.2 Means of Egress. The means of egress in a retail cannabis store shall comply with Chapter 10.

17.32.080 Section 401.3 amended – Emergency Responder Notification. Section 401.3 of Chapter 4 of the Kern County Fire Code is amended to read as follows:

401.3 Emergency Responder Notification. Notification of emergency responders shall be in accordance with Sections 401.3.1 through 401.3.4.

401.3.1 Fire and Other Emergency Events. In the event an unwanted fire or other event, requiring a fire department response, occurs on a property, or the discovery of a fire, smoke or unauthorized release of flammable or hazardous

materials which necessitates an emergency response on any property occurs, the owner or occupant shall immediately report such condition to the fire department.

401.3.2 Alarm Activation. Upon activation of a fire alarm signal, employees or staff shall immediately notify the fire department. Building employees and tenants shall implement the appropriate emergency plans and procedures.

401.3.3 Delayed Notification. A person shall not, by verbal or written directive, require any delay in the reporting of a fire to the fire department.

401.3.4 Group E Fire Alarm Initiation. Every person and public officer managing, controlling, or in charge of any public, private, or parochial school shall cause the fire alarm signal to be sounded upon discovery of fire.

17.32.085 Section 403 amended – Emergency Preparedness Requirements.

The following sections are deleted from Section 403 of Chapter 4:

Sections 403.3 through 403.1.2 – Group B occupancies.

Section 403.5 – Group F occupancies.

Sections 403.6 through 403.6.1.4 – Group H occupancies.

Sections 403.7 through 403.7.6 – Group I occupancies.

Section 403.8 – Group M occupancies.

17.32.090 Section 503.1.1 amended – Buildings and Facilities.

Section 503.1.1 of Chapter 5 of the Kern County Fire Code is amended to read as follows:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Access in commercial, industrial, or other zones may require paving to match the grade of the rails where railroad loading is planned.

Exceptions:

1. The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:
 - 1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
 - 1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar

conditions, and an approved alternative means of fire protection is provided.

- 1.3. There are not more than two Group R-3 or Group U occupancies.
2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

17.32.095 Section 503.2.1 amended – Dimensions.

Section 503.2.1 of Chapter 5 of the Kern County Fire Code is amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of 15 feet (4572 mm).

EXCEPTION: When serving only one Group R-3 or Group U Occupancy the unobstructed width of the access road may be 12 feet (3658 mm).

No access road shall be less than 32 feet (9754 mm) in width if vehicle parking is permitted on one side of the access road and not less than 40 feet (12 192 mm) in width if vehicle parking is permitted on both sides of the access road. To permit the free passage of vehicles, access roads designed for vehicle parking on only one side shall have signs or markings prohibiting the parking of vehicles on the traffic flow side of the roadway.

An access road divided into separate adjacent one-way traffic lanes by a curbed divider or similar obstacle shall be not less than 15 feet (4572 mm) in unobstructed width on each side of the divider.

17.32.100 Section 503.4 amended – Obstruction of Fire Apparatus Access Roads.

Section 503.4 of Chapter 5 of the Kern County Fire Code is amended to read as follows:

503.4 Obstruction of Fire Apparatus Access Roads. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Fire apparatus access roads that are temporarily impassable due to inclement weather conditions including, but not limited to snow, dust, and flood, are not considered obstructed. The minimum required widths and clearances established under Section 503.2.1 shall be maintained at all times. Fire apparatus access roads shall be established, constructed, and maintained in such a manner as to allow direct access to the building, mobile home or facility at all times without any physical obstruction or legal hindrance.

Entrances to roads, trails or other access-ways which have been closed with gates and barriers in accordance with Section 503.5 shall not be obstructed by parked vehicles.

17.32.105 Section 507 amended – Fire Protection Water Supplies.

Section 507 of Chapter 5 of the Kern County Fire Code is amended to read as follows:

SECTION 507 FIRE PROTECTION WATER SUPPLIES

507.1 Required Water Supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

507.1.1 Existing Facilities. When required by the Fire Chief, water supply and fire hydrants shall be provided at existing facilities when the fire load potential exceeds the water supply availability.

507.2 Type of Water Supply. The water supply shall consist of pressure tanks, elevated tanks, pumps, water mains or other fixed systems capable of providing the required fire flow.

507.2.1 Private Fire Service Mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 as amended in Chapter 80.

507.2.2 Water Tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

507.3 Fire Flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by the fire code official and shall be computed on the basis of a minimum 20 p.s.i.g. (137.9 kPa) residual operating pressure at the point of lowest pressure of the street main from which the flow is measured. In setting the requirements for fire flow, the fire code official may be guided by the provisions in Appendix B and by the minimum requirements set forth in Table 507.5.7.1, but may require higher standards on the basis of local conditions, exposure, congestion, or construction of the building. The required fire flows are to be provided in addition to the domestic requirements.

507.4 Water Supply Test. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.

507.5 Fire Hydrant Systems. Fire hydrant systems, including the location, number and type of fire hydrants, shall comply with Sections 507.5.7.1 through 507.5.7.3.

507.5.1 Where Required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains supplying the required fire flow shall be provided where required by the fire code official.

507.5.2 Inspection, Testing and Maintenance. Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards. Records of tests and required maintenance shall be maintained.

507.5.3 Private Fire Service Mains and Water Tanks. Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with *Title 19 California Code of Regulations, Division 1, Chapter 5*.

507.5.4 Obstruction. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

Fire hydrants shall be accessible to the fire department apparatus by roadways meeting the requirements of Section 503.

507.5.5 Clear Space around Hydrants. A clear space of 3 feet (914 mm) shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

507.5.6 Physical Protection. Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

507.5.7 Fire Hydrant Installations. The location, number and type of fire hydrants shall be in accordance with Sections 507.5.7.1 through 507.5.7.3 and as required and approved by the fire code official. Such fire hydrants shall be provided on the public street or on the site of the premises to be protected as required and approved by the fire code official.

507.5.7.1 Fire Hydrant Spacing. Fire hydrants shall be installed with a maximum spacing between hydrants as indicated in Table 507.5.7.1 and the following:

1. A hydrant shall be placed at each intersection except where this would provide excessive hydrant coverage.

EXCEPTION: The spacing of hydrants shall have an individual tolerance of ten (10) percent. However, the average spacing between any three (3) adjacent hydrants shall not exceed the required spacing.

2. Fire hydrant spacing shall be computed separately for each side of major highways, divided roadways, canals, or railways.
3. The last hydrant on a cul-de-sac or stub street shall not be more than one-half (½) the maximum spacing from the end of the street.

TABLE 507.5.7.1 – FIRE FLOW REQUIREMENTS

District Classification	Minimum Fire Flow ^a	Minimum Duration (Hours)	Maximum Hydrant Spacing
Residential Includes: 1- and 2-family dwellings	500 GPM 1893 L/min	1	660' 202 m
Commercial Includes: all commercial uses, hotels, apartments, multiple residence buildings, schools, and colleges	1,500 GPM 5678 L/min	2	330' 101 m
Industrial	1,500 GPM 5678 L/min	4	330' 101 m

^a When required by the fire code official, the required fire flow may be increased in accordance with Section 507.3.

507.5.7.2 Installation. Whenever any hydrant or other valve which is intended for use for fire suppression purposes, is installed or replaced, the same shall be installed or replaced in accordance with the Kern County Development Standards.

507.5.7.3 Water Distribution System. The water distribution system shall be provided with valves and other facilities, such as tanks, so that no point on any lot at the street right-of-way shall be more than one and one-half (1½) times the maximum hydrant spacing from a working hydrant as a result of any single break or shut down for repairs, except where impractical.

All water mains serving hydrants shall have a minimum nominal diameter of 6 inches (15 mm). Stub lines over 800 feet (24 m) in length or supporting more than one hydrant shall have a minimum nominal diameter of 8 inches (20 mm).

17.32.110 Appendix D Section D103.6 amended – Fire Lanes.

Section D103.6 of Appendix D of the Kern County Fire Code is amended to read as follows:

D103.6 Fire Lanes.

D103.6.1 Where Required. Fire Lanes shall be provided to and along the front and/or any side of all shopping complexes more than 150 feet (45 720 mm) from a public street and all other buildings other than dwellings when in the

judgment of the fire code official, fire lanes are deemed necessary for the protection of life and property.

D103.6.2 Clearances. Fire Lanes shall be located as determined by the fire code official, and shall not be less than 20 feet (6096 mm) in width, with inside turning radiuses of not less than 20 feet (6096 mm) and shall have a clear height of not less than 15 feet (4572 mm).

D103.6.3 Obstruction. Fire Lanes shall be maintained clear at all times without exception. It shall be unlawful for any person to impair or block such fire lanes by vehicle parking or placing any other obstruction therein. Fire lane signs shall not be obstructed from view by oncoming traffic.

D103.6.4 Fire Lane Identification. Fire Lanes shall be identified in such a manner so as to leave no doubt as to their existence and intended purposes. Identification shall be by means of permanent signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and be constructed of 14 gage steel or aluminum. The signs shall have a reflective white background with red lettering and a ¼-inch wide stripe along all four sides of the sign. The signs shall read NO STOPPING – FIRE LANE, with lettering a minimum of 1 inch in height. Where deemed necessary by the fire code official, the signs shall be supplemented by a painted red curb which is parallel and adjacent to the fire lane.



**Figure D103.6
Fire Lane Sign**

D103.6.4.1 Fire Lane Sign Locations. Fire lane signs shall be located along the entire length of the fire lane and placed not more than 100 feet (3048 mm) apart. Fire lane sign shall be installed within 25 feet (7620 mm) of any end

of the fire lane. The fire lane signs shall be perpendicular to the flow of traffic and within 4 feet (1219 mm) of the edge of the driving surface of the fire lane. The fire lane signs shall be installed at a height of at least 7 feet above walking surfaces.

D103.6.5 Roads 20 to 32 feet in width. Fire lanes 20 feet wide (6096 mm) to 32 feet wide (7925 mm) shall be posted on both sides as a fire lane.

D103.6.6 Roads 32 to 40 feet in width. Fire lanes 32 feet wide (9754 mm) to 40 feet wide (12 192 mm) shall be posted on one side of the road as a fire lane.

17.32.115 Section 703.1.1 added – Maintenance.

Section 703.1.1 is added to Chapter 7 of the Kern County Fire Code to read as follows:

703.1.1 Maintenance. Any deficiency or lack of maintenance, or opening or hole in the structure which would tend to increase the severity of fire or the spread of fire shall be corrected immediately.

17.32.120 Section 806.1.1 amended – Restricted Occupancies.

Section 806.1.1 of Chapter 8 of the Kern County Fire Code is amended by adding Exception 3 to read as follows:

3. Trees located and treated in accordance with Kern County Fire Prevention Standard 806.1-1.

17.32.125 Section 903.2.1 amended – Group A.

Section 903.2.1 of Chapter 9 of the Kern County Fire Code is amended to read as follows:

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3, and A-4 occupancies, the automatic sprinkler system shall be provided throughout the entire building containing a Group A-1, A-2, A-3 or A-4 occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

17.32.130 Section 903.2.1.1 amended – Groups A-1, A-3 and A-4.

Section 903.2.1.1 of Chapter 9 of the Kern County Fire Code is amended to read as follows:

903.2.1.1 Groups A-1, A-3 and A-4. An automatic sprinkler system shall be provided throughout buildings containing a Group A-1, A-3 or A-4 occupancy.

EXCEPTIONS:

1. Assembly rooms or spaces with a cumulative area less than 1,000 square feet (93 m²) where no alcohol is consumed.

2. Group A-3 occupancies located on the level of exit discharge provided the fire area does not exceed 5,000 square feet (464 m²) and the occupant load is less than 100 and the building contains a fire alarm as required by Section 907.2.1.

17.32.135 Section 903.2.1.3 deleted – Group A-3.

Section 903.2.1.3 of Chapter 9 of the Kern County Fire Code is deleted.

17.32.140 Section 903.2.1.4 deleted – Group A-4.

Section 903.2.1.4 of Chapter 9 of the Kern County Fire Code is deleted.

17.08.145 Section 903.2.2.1 added – Group B.

Section 903.2.2.1 is added to Chapter 9 of the Kern County Fire Code to read as follows:

903.2.2.1 Group B. An automatic sprinkler system shall be provided throughout buildings containing a Group B occupancy where one of the following conditions exists:

1. A Group B fire area exceeds 10,000 square feet (929 m²).
2. A Group B fire area is located more than three stories above grade plane.
3. The combined area of all Group B fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

17.32.150 Section 903.2.3 amended – Group E.

Section 903.2.3, Item 1, of Chapter 9 of the Kern County Fire Code is amended to read as follows:

1. Throughout all Group E fire areas greater than 10,000 square feet (929 m²) in area.

17.32.155 Section 903.2.4 amended – Group F.

Section 903.2.4 of Chapter 9 of the Kern County Fire Code is amended to read as follows:

903.2.4 Group F. An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

1. A Group F fire area exceeds 10,000 square feet (929 m²).
2. A Group F fire area is located more than three stories above grade plane.
3. The combined area of all Group F fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group F fire area is used for cannabis cultivation, processing or extraction.

17.32.160 Section 903.2.7 amended – Group M.

Section 903.2.7 of Chapter 9 of the Kern County Fire Code is amended to read as follows:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 10,000 square feet (929 m²).
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group M fire area is used for retail of cannabis or cannabis products.

17.32.165 Section 903.2.8.5 added – Manufactured Homes.

Section 903.2.8.5 is added to Chapter 9 of the Kern County Fire Code to read as follows:

903.2.8.5 Manufactured Homes. An automatic sprinkler system shall be installed in new manufactured homes, as defined in Health and Safety Code Sections 18007 & 18009, and multiple family manufactured homes with two dwelling units, as defined in Health and Safety Code Section 18008.7, in accordance with Title 25 of the California Code of Regulations.

17.32.170 Section 903.2.9 amended – Group S-1.

Section 903.2.9, Item 1, of Chapter 9 of the Kern County Fire Code is amended to read as follows:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 10,000 square feet (929 m²).
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).
5. A Group S-1 fire area storing cannabis or cannabis products.

17.32.175 Section 903.2.9.1 amended – Repair Garages.

Section 903.2.9.1 of the Kern County Fire Code is amended to read as follows:

903.2.9.1 Repair Garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the Kern County Building Code, as follows:

1. Buildings with a fire area containing a repair garage exceeding 10,000 square feet (929 m²).

2. Buildings with a repair garage servicing vehicles parked in the basement.
3. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).

17.32.180 Section 903.2.10 amended - Group S-2.

Section 903.2.10 of the Kern County Fire Code is amended to read as follows:

903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as a Group S-2 occupancy where one of the following conditions exist:

1. A Group S-2 fire area exceeds 10,000 square feet (929 m²).
2. Where an enclosed parking garage is located beneath other occupancy groups.
3. The combined area of all Group S-2 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

17.32.185 Section 903.2.11.3 amended – Multi-story Buildings and Buildings 55 feet or more in height.

Section 903.2.11.3 of Chapter 9 of the Kern County Fire Code is amended to read as follows:

903.2.11.3 Multi-story Buildings and Buildings 55 feet (16 764 mm) or more in height. An automatic sprinkler system shall be installed throughout buildings more than 3 stories in height or with a floor level having an occupant load of 30 or more that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

17.32.190 Section 903.3.1.2.3 amended – Attics.

Section 903.3.1.2.3, Item 3, of Chapter 9 of the Kern County Fire Code is amended to read as follows:

3. Attics not required by Items 1 or 2 to have sprinklers shall comply with one of the following if the building is more than two stories in height:
 - 3.1. Provide automatic sprinkler system protection.
 - 3.2. Construct the attic using noncombustible materials.
 - 3.3. Construct the attic using fire-retardant-treated wood complying with Section 2303.2 of the International Building Code.
 - 3.4. Fill the attic with noncombustible insulation.

17.32.195 Section 903.3.10 added – Fire Sprinkler Control Room.

Section 903.3.10 of Chapter 9 of the Kern County Fire Code is added to read as follows:

903.3.10 Fire Sprinkler Control Room. Where an automatic fire sprinkler system is installed in a building and the system protects multiple tenant spaces, the main controls, risers, gauges and appurtenances shall be located in an attached room or enclosure with access only from an exterior door which has a minimum size of 3'0" wide and 6'8" high. In buildings with a required fire alarm control room in accordance with Section 907.11, the equipment required to be in the fire sprinkler control room and the equipment required in the fire alarm control room can be collocated in one room.

17.32.200 Section 903.6 amended – Existing Buildings.

Section 903.6 of Chapter 9 of the Kern County Fire Code is amended to read as follows:

903.6 Existing Buildings. An automatic sprinkler system shall be installed in existing buildings as required in Sections 903.6.1 through 903.6.3.

903.6.1 Pyroxylin Plastics. An automatic sprinkler system shall be provided in all existing buildings where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled where required in Chapter 11.

903.6.2 Group I-2. An automatic sprinkler system shall be provided in Group I-2 where required in Chapter 11.

903.6.3 Existing Buildings. In other than Group U occupancies, when the floor area of an existing building is increased and the total floor area exceeds ten thousand (10,000) square feet (929 m²) before or after the addition, or is otherwise required to be equipped with an automatic sprinkler system in accordance with this code, an automatic sprinkler system shall be installed throughout the entire building.

EXCEPTIONS:

1. If new or existing fire areas are clearly established within the limits of this code and approved by the fire code official and building code official.
2. Where a fire wall of 4-hour fire-resistance-rated construction without openings is installed to separate the new and existing portions of the building, only the new portion need comply.

17.32.205 Section 905.5.3 deleted – Class II System 1-inch Hose.

Section 905.5.3 of Chapter 9 of the Kern County Fire Code is deleted.

17.32.210 Section 907.2.1 amended – Group A.

The first paragraph of Section 907.2.1 of Chapter 9 of the Kern County Fire Code is amended to read as follows:

907.2.1 Group A. A manual alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in all Group A occupancies.

17.32.215 Section 907.2.8.1 amended – Manual Fire Alarm System.

Section 907.2.8.1 of Chapter 9 of the Kern County Fire Code is amended to read as follows:

907.2.8.1 Manual Fire Alarm System. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in all Group R-1 occupancies.

Exception: Manual fire alarm boxes are only required at exterior exit doors on the level of exit discharge if the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

17.32.220 Section 907.2.9.1 amended – Manual Fire Alarm System.

Section 907.2.9.1 of Chapter 9 of the Kern County Fire Code is amended by deleting Exceptions 1, 2 and 3.

17.32.225 Section 907.11 added – Fire Alarm Control Room.

Section 907.11 of Chapter 9 of the Kern County Fire Code is added to read as follows:

907.11 Fire Alarm Control Room. When a fire alarm system is installed in a building constructed for multiple tenants and the system protects multiple tenant spaces, the fire alarm control panel and appurtenances shall be located in an attached room or enclosure with access only from an exterior door which has a minimum size of 3'0" wide and 6'8" high. In buildings with a required fire sprinkler control room in accordance with Section 903.3.10, the equipment required to be in the fire alarm control room and the equipment required in the fire sprinkler control room can be collocated in one room.

17.32.230 Chapter 11 amended – Construction Requirements for Existing Buildings.

The following sections of Chapter 11 of the Kern County Fire Code are deleted:

- 1101 – General.
- 1103.4 through 1103.6.2 – Fire Safety Requirements
- 1103.7.1, 1103.7.2, 1103.7.5 and 1103.7.5 – Fire Alarm Systems
- 1103.9 – Carbon Monoxide Detection (adopting 1103.9.1).
- 1103.10 – Medical Gases
- 1104 – Means of Egress for Existing Buildings
- 1105 – Existing Group I-2
- 1106 – Requirements for Outdoor Operations

17.32.235 Section 1201.1 amended – Scope.

Section 1201.1 of Chapter 12 of the Kern County Fire Code is amended to read as follows:

1201.1 Scope. The provisions of this chapter shall apply to the installation, operation, maintenance, repair, retrofitting, testing, commissioning and decommissioning of energy systems used for generating or storing energy. It shall not apply to equipment associated with the generation, control, transformation, transmission, or distribution of energy installations that is under the exclusive control of an electric utility or lawfully designated agency. Energy storage systems regulated by Section 1207 shall comply with this chapter and NFPA 855.

17.32.240 Chapter 26 deleted – Fumigation and Insecticidal Fogging.

Chapter 26 the Kern County Fire Code is deleted.

17.32.245 Section 3703.4 amended – Agricultural Products.

Section 3703.4 of Chapter 37 of the Kern County Fire Code is amended to read as follows:

3703.4 Agricultural Products. Hay, straw, seed cotton or similar agricultural products shall not be stored adjacent to structures or combustible materials unless a clear horizontal distance equal to the height of a pile is maintained between such storage and structures or combustible materials. Storage shall be limited to stacks of 100 tons (91 metric tons) each. Either an approved one hour fire barrier constructed as specified in the Kern County Building Code or a clear space of 20 feet (6096 mm) shall be maintained between such stacks.

Quantities of hay, straw, seed cotton and other agricultural products shall not be limited where stored on a farm or on other premises located within an A-Exclusive Agricultural Zone, as defined in the Zoning Ordinance of Kern County (commencing with Section 19.02.010 of the Kern County Code).

17.32.250 Chapter 39 amended – Cannabis Cultivation, Processing and Extraction Facilities.

Chapter 39 of the Kern County Fire Code is amended to read as follows:

CHAPTER 39 PROCESSING AND EXTRACTION FACILITIES

SECTION 3901 GENERAL

3901.1 Scope. Plant processing or extraction facilities shall comply with this chapter and the Kern County Building Code. The extraction process includes the act of extraction of the oils and fats by use of a solvent, desolventizing of the raw material, production of the miscella, distillation of the solvent from the miscella and solvent recovery. The use, storage, transfilling and handling of hazardous

materials in these facilities shall comply with this chapter, other applicable provisions of this code and the Kern County Building Code.

3901.2 Existing buildings or facilities. Existing buildings or facilities used for the processing of plants shall comply with this chapter. Existing extraction processes where the medium of extraction or solvent is changed shall comply with this chapter.

3901.3 Permits. Permits shall be required as set forth in Sections 105.5 and 105.6.

SECTION 3902 DEFINITIONS

3902.1 Definitions. The following terms are defined in Chapter 2:
DESOLVENTIZING.
MISCELLA.

SECTION 3903 PROCESSING AND EXTRACTION

3903.1 Construction. Plant processing and extraction shall be located in a building complying with the Kern County Building Code.

3903.2 Prohibited occupancies. Extraction processes utilizing flammable gases or flammable cryogenic fluids shall not be located in any building containing a Group A, E, I or R occupancy.

3903.3 Location. The extraction equipment and extraction processes utilizing flammable or combustible hydrocarbon solvents shall be located in a room or area dedicated to extraction.

3903.4 Doors. All doors in the extraction room shall be self-closing doors. All exit or exit access doors shall swing in the direction of egress and be equipped with panic hardware or fire exit hardware.

3903.5 Post-process purification and winterization. Postprocessing and winterization involving the heating or pressurizing of the miscella to other than normal pressure or temperature shall be approved and performed in an appliance listed for such use. Domestic or commercial cooking appliances shall not be used.

3903.5.1 Industrial ovens. The use of industrial ovens shall comply with Chapter 30.

3903.6 Use of flammable and combustible liquids. The use of flammable and combustible liquids for liquid extraction processes where the liquid is boiled, distilled or evaporated shall be located within a hazardous exhaust fume hood, rated for exhausting flammable vapors. Electrical equipment used within the

hazardous exhaust fume hood shall be rated for use in flammable atmospheres. Heating of flammable or combustible liquids over an open flame is prohibited.

Exception: The use of a heating element not rated for flammable atmospheres, where documentation from the manufacture, or approved testing laboratory indicates the element is rated for heating of flammable liquids.

3903.7 Liquefied petroleum gas. Liquefied petroleum gases shall not be released to the atmosphere except where released in accordance with Section 7.3 of NFPA 58.

SECTION 3904 SYSTEMS AND EQUIPMENT

3904.1 General. Systems and equipment used with the processing and extraction of oils and products from plants shall comply with Sections 3904.2 through 3904.5 and 5003.2, and other applicable provisions of this code, the Kern County Building Code and the Kern County Mechanical Code.

3904.2 Systems and equipment. Systems or equipment used for the extraction of oils from plant material shall comply with Section 3904.2.1 or 3904.2.2.

3904.2.1 Listings. Systems or equipment used for the extraction of oils from plant material shall be listed and labeled in accordance with UL 1389 and installed in accordance with the listing and the manufacturer's installation instructions.

3904.2.2 Approvals. Systems or equipment used for the extraction of oils from plant material shall be approved for the specific use. The system shall be reviewed by a registered design professional. The registered design professional shall review and consider any information provided by the system's designer or manufacturer. The registered design professional shall evaluate the equipment in accordance with Section 3904.3 and shall prepare a technical report to be submitted to the fire code official for review and approval. The firm or individual preparing the technical report shall be approved by the fire code official prior to performing the analysis.

3904.3 Technical report. A technical report, reviewed and approved by the fire code official as required by Section 3904.2, is required prior to the equipment being located or installed at the facility.

3904.3.1 Report content. The technical report shall contain all of the following:

1. Manufacturer information.
2. Preparer of record of the technical report.
3. Date of review and report revision history.

4. Signature page, including all of the following:
 - 4.1. Author of the report.
 - 4.2. Date of report.
 - 4.3. Date and signature of registered design professional of record performing the design or peer review.
5. Model numbers of the items evaluated. If the equipment is provided with a serial number, the serial number shall be included for verification at the time of site inspection.
6. Methodology of the design or peer review process used to determine minimum safety requirements. Methodology shall consider the basis of design, and shall include a code analysis and code path to demonstrate whether specific codes or standards are applicable.
7. Equipment description. A list of every component and subassembly, such as fittings, hose, quick disconnects, gauges, site glass, gaskets, valves, pumps, vessels, containers and switches, of the system or equipment, indicating the manufacturer, model number, material and solvent compatibility. Manufacturer's data sheets shall be provided.
8. A general flow schematic or general process flow diagram of the process. Post-processing or winterization shall be included in this diagram. Primary components of the process equipment shall be identified and match the equipment list required in Item 7. Operating temperatures, pressures and solvent state of matter shall be identified in each primary step or component. A piping and instrumentation diagram (PID or P&ID) shall be provided.
9. Analysis of vessels if pressurized beyond standard atmospheric pressure. Analysis shall include purchased and fabricated components.
10. Structural analysis for the frame system supporting the equipment.
11. Process safety analysis of the extraction system, from the introduction of raw product to the end of the extraction process.
12. Comprehensive process hazard analysis considering failure modes and points of failure throughout the process. The process hazard analysis shall include a review of emergency procedure information provided by the manufacturer of the equipment or process and not that of the facility, building or room.
13. Review of the assembly instructions, operational and maintenance manuals provided by the manufacturer.
14. List of references used in the analysis.
15. Operating temperatures, pressures and solvent state of matter shall be identified in each primary step or component.
16. Identify the type, quantity and method of use of all hazardous materials.

3904.4 Site inspection. Prior to operation of the extraction equipment, where required by the fire code official, the engineer of record or approved

professional, as approved in Section 3904.2, shall inspect the site of the extraction process once equipment has been installed for compliance with the technical report and the building analysis. The engineer of record or approved professional shall provide a report of findings and observations of the site inspection to the fire code official prior to the approval of the extraction process. The field inspection report authored by the engineer of record shall include the serial number of the equipment used in the process and shall confirm that the equipment installed is the same model and type of equipment identified in the technical report.

3904.5 Maintenance. All equipment, devices and safety systems shall be maintained in an operable condition. All safety devices shall be tested annually, or more frequently when required by the manufacturer. Written records of inspection, testing and maintenance shall be maintained.

SECTION 3905 SAFETY SYSTEMS

3905.1 Automatic sprinkler system. Buildings containing plant extraction systems shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1.

3905.2 Gas detection. For extraction processes utilizing flammable gases as solvents, a continuous gas detection system shall be provided complying with Section 916.

3905.2.1 System design. The flammable gas detection system shall be listed or approved and shall be calibrated to the types of fuels or gases used for the extraction process. The gas detection system shall be designed to activate when the level of flammable gas exceeds 25 percent of the lower flammability limit (LFL) or the lower explosive limit (LEL).

3905.2.2 Gas detection system components. Gas detection system control units shall be listed and labeled in accordance with UL 864 or UL 2017. Gas detectors shall be listed and labeled in accordance with UL 2075 for use with the gases and vapors being detected.

3905.2.3 Operation. Activation of the gas detection system shall result in all the following:

1. Initiation of distinct audible and visual alarm signals in the extraction room and outside the extraction room adjacent to the entry door into the extraction room.
2. Deactivation of all heating systems located in the extraction room.
3. Activation of the mechanical ventilation system, where the system is interlocked with gas detection.

3905.2.4 Failure of the gas detection system. Failure of the gas detection system shall result in the following:

1. Deactivation of all heating systems in the extraction room.
2. Activation of the mechanical ventilation system where the system is interlocked with the gas detection system.;
3. Initiation of audible and visible trouble signals in an approved location.

3905.2.5 Interlocks. Electrical components within the extraction room shall be interlocked with the gas detection system. Activation of the gas detection system shall disable all light switches and electrical outlets in the extraction room.

3905.3 Emergency shutoff. Extraction processes utilizing gaseous hydrocarbon-based solvents shall be provided with emergency shutoff systems in accordance with Section 5803.1.3.

17.32.255 Section 5001.7 added – Facility Correction Plan.

Section 5001.7 of Chapter 50 of the Kern County Fire Code is added to read as follows:

5001.7 Facility Correction Plan. When required by the fire code official, any business subject to regulation by this code shall submit a Facility Correction Plan to the fire code official. When such business is required to complete corrective action concerning adequate labeling, or repackaging damaged or deteriorated containers, the owner shall submit a facility correction plan within the time specified by the fire code official.

The Facility Correction Plan shall demonstrate that hazardous materials, stored, dispensed, handled or used in the facility shall be transported, disposed of or handled in a manner that eliminates the need for further maintenance, that eliminates any threat to public health and safety, and that ensures all federal, state and local requirements will be met to ensure the safe closure or correction of the facility.

The business shall not commence any action to correct the facility until the plan has been approved.

17.32.260 Sections 5601.1.3 amended – Fireworks.

Section 5601.1.3, Item 5, is added to Chapter 56 of the Kern County Fire Code to read as follows:

5. Fireworks defined and classified as "Safe and Sane" in accordance with the provisions of California Code of Regulations, Title 19, may be displayed, sold, possessed and used as allowed in Section 5614.

17.32.265 Section 5604.1.1 added – Storage within Established Limits.

Section 5604.1.1 is added to Chapter 56 of the Kern County Fire Code to read as follows:

5604.1.1 Storage within Established Limits. Storage of explosive materials is prohibited, except in the following zoning districts:

1. M-2 Zone with a Conditional Use Permit issued by the Planning and Natural Resources Department.
2. M-3 Zone.

17.32.270 Section 5614 added – Safe and Sane Fireworks.

Section 5614 is added to Chapter 56 of the Kern County Fire Code to read as follows:

5614 Safe and Sane Fireworks.

5614.1 General. Fireworks defined and classified as "Safe and Sane" in accordance with the provisions of California Code of Regulations, Title 19, may be displayed, sold, possessed and used pursuant to this Section, except within the Wildland-Urban Interface Fire Area.

5614.2 Permits.

5614.2.1 Permit Required. It shall be unlawful for any person to offer for sale any fireworks without first obtaining a permit from the Kern County Fire Department. A permit shall not be issued unless the person applying for the permit has first obtained a license from the California State Fire Marshal in accordance with the provisions of California Code of Regulations, Title 19, Subchapter 6. No one organization may receive more than one permit for fireworks sales during any one calendar year. See Section 105.5.

5614.2.2 Non-Profit or Charitable Organization. A permit for the sale of "Safe and Sane Fireworks" shall be issued only to a nonprofit organization or corporation organized and existing primarily for veterans, patriotic, religious, welfare, charitable or civic-betterment purposes, organized and established in the County for a period of at least one year prior to the filing of an application for permit.

5614.2.3 Application for Permit. An application for a permit shall be filed with the Kern County Fire Department Fire Prevention Office between 8:00 A.M. on March 1 and 5:00 P.M. on May 15 of each year. Any permit issued shall be valid only for the premises or location for which it is issued, shall not be transferable, assignable or renewable, and shall be valid only for the times and dates specified in the permit. Each application shall include the following information and documents:

1. Name and address of the applicant. The applicant must be an officer of the organization.
2. The purpose of the nonprofit organization or corporation; its principal and permanent meeting place; the approximate date of its establishment in the County; the total number of its local membership; and the names and addresses of its officers.

3. The location where the applicant will sell safe and sane fireworks, together with a plot plan showing the location of the temporary fireworks stand and all related structures, and written approval and consent to use such location for such use by the owner or lessee.
4. The zoning district applicable to the location where such fireworks are to be displayed and sold.
5. A plot plan showing the location of the temporary fireworks stand, property lines, utilities, location of permanent and temporary structures, driveways and sanitary facilities. Include the latitude and longitude of the fireworks stand, as determined by a Global Positioning System.
6. A \$1,000,000 public liability and a \$1,000,000 property damage insurance policy and products' liability insurance in the amount of \$1,000,000 with riders attached to the policies designating the County of Kern as an additional insured thereunder.
7. A roster of the current officers of the organization.
8. Written authorization from the owner, or person in lawful possession thereof, for the locating of the fireworks booth upon their property.
9. Proof of non-profit or charitable organization status.

5614.3 Fireworks Stands.

5614.3.1 General. All retail sales of safe and sane fireworks shall be permitted only from a fireworks stand and the sale from any other facility, building, structure or location is hereby prohibited. Fireworks stands shall be in accordance with Section 5614.3.

5614.3.2 Location. Fireworks stands shall be located:

1. In a C-H zoning district,
2. In a C-1 zoning district or a zoning district less restrictive than C-1,
3. On publicly owned property, including property owned by school districts, with the approval of the Director of the Planning Department, or
4. On property developed with church facilities, with the approval of the Director of the Planning and Natural Resources Department.
5. In accordance with Table 5614.3.2.

**Table 5614.3.2
Separation Distances for Fireworks Booths**

Exposure	Distance (feet) x .3048 for m
Other fireworks stands	500
Fuel storage, or fuel dispensing pump	100
Fuel storage tank fill connection	100
Repair garage or fixed open flame device	100
Other buildings	50
Street, alley, driveway or curblin	10

5614.3.3 Construction and Removal.

1. Fireworks stands shall be constructed in a manner which will reasonably ensure the safety of attendants and patrons.
2. Each fireworks stand must have at least two exits. Each fireworks stand in excess of 40 feet (12 192 mm) in length must have at least three exits. Exits shall have a minimum width of 30 inches (76 mm). An aisle with a minimum width of 30 inches (76 mm) shall lead to each exit. Exit doors shall be operable from the inside without the use of a key or any special knowledge or effort.
3. The fireworks stand and all accompanying litter shall be removed from the temporary location by 12:00 noon on the 15th day of July.

5614.3.4 Electrical Wiring.

1. All electrical wiring to or within a fireworks stand shall be installed in accordance with the Kern County Electrical Code and this Section.
2. All wiring in or on a fireworks stand shall be in rigid raceway or electrical metallic tubing (EMT).
3. Electrical wiring within the fireworks stand shall be limited to use for lighting and two duplex receptacles for sales equipment only.

5614.3.5 Fire Safety.

1. Each fireworks stand shall be provided with two 2-A rated water base fire extinguishers. Each such extinguisher shall be properly serviced and tagged, and easily accessible for use in case of fire.
2. No person shall light, or cause or permit to be lighted, any fireworks or any other article or material within any fireworks stand, or within 50 feet (15 240 mm) thereof.
3. Smoking shall not be allowed in any fireworks stand nor within 50 feet (15 240 mm) thereof. "No Smoking" signs shall be prominently displayed.
4. All weeds and combustible material shall be cleared from the location of the fireworks stand, including a distance of at least 20 feet (6096 mm) surrounding the fireworks stand.
5. There shall be available to each fireworks stand, a trash container of sufficient size to accommodate trash generated by the fireworks stand. Each trash container shall be constructed of non-combustible material. Each trash container must be maintained a minimum of 20 feet (6096 mm) from the fireworks stand.

5614.3.6 Operations. Operation of fireworks stands shall be in accordance with the following:

1. There shall be at least one adult in attendance during the open or sale hours of the fireworks stand.
2. No person under age 18 shall be permitted in a fireworks stand.

3. There shall be at least one adult on the premises as night watchman for security during the hours of storage. Under no circumstances shall the watchman sleep within the fireworks stand. Accommodations for the watchman shall not be located within 25 feet (7620 mm) of the fireworks stand.

5614.4 Sale of Safe and Sane fireworks.

5614.4.1 Posting of Permits. All permits must be posted in a conspicuous place in or on the fireworks stand.

5614.4.2 Sales Period. Fireworks shall be sold only between the hours of 12 noon to 11:00 PM on July 1, and the hours of 6:00 AM to 11:00 PM on July 2 and July 3, and the hours of 6:00 AM on July 4 to 12:01 AM on July 5 of any year; provided, however, in any year in which the Fourth of July falls on a Wednesday, Thursday or Friday, said sales period may be extended by the Board of Supervisors or its appointed designee to allow sales commencing at 12 noon on June 29 based on a showing by an individual charitable organization of unequal sales periods in an adjacent city in the County or in a neighboring city or county. The sales period on the additional days of sale will be limited to 12 noon to 10:00 PM on June 29, and the hours of 9:00 AM to 10:00 PM on June 30 to July 3. Any charitable organization electing to make a request for an extension must meet all requirements to sell safe and sane fireworks and must file an application for the extension with the Fire Chief on or before May 15 of the year the extension is sought. The application shall contain a statement of facts demonstrating the unequal sales periods in an adjacent city in the County or in a neighboring city or county. Upon receipt of the recommendation of the Fire Chief, the Clerk of the Board of Supervisors shall set the matter before the Board of Supervisors for consideration.

5614.4.3 Sale to Persons under Sixteen Prohibited. No person shall sell or transfer any safe and sane fireworks to a person who is under 16 years of age from any fireworks stand.

5614.4.4 Use of Safe and Sane Fireworks. Except under Special Effects Permit or Public Display Permit, Safe and Sane fireworks shall only be used or discharged between the hours of 12 noon on July 1 to 12:01 AM of the next day, and the hours of 9:00 AM to 12:01 AM of the next day on July 2 and July 3, and the hours of 9:00 AM on July 4 to 12:30 AM on the next day, and the hours of 12:00 noon on December 31 to 12:30 AM of the next day of any year.

5614.5 Seizure of Fireworks. The fire code official shall have the authority to seize, take and remove fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19 CCR, Chapter 6.

17.32.275 Section 5704.2.7.10 amended – Leak Reporting.

Section 5704.2.7.10 of Chapter 57 of the Kern County Fire Code is amended to read as follows:

5704.2.7.10 Leak Reporting. Any consistent or accidental loss of liquid, or other indication of a leak from a tank system, shall be reported immediately to the fire code official, the Kern County Environmental Health Department and to other affected and/or authorized agencies.

17.32.280 Section 5704.2.9.6.1 amended – Locations Where Above-ground Tanks are Prohibited.

Section 5704.2.9.6.1 of Chapter 57 of the Kern County Fire Code is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, except in the following zoning districts:

1. A or A-1 Zones.
2. M-1, M-2 or M-3 Zones.
3. NR Zone.

17.32.285 Section 5706.2.4.4 amended – Locations Where Above-ground Tanks are Prohibited.

Section 5706.2.4.4 of Chapter 57 of the Kern County Fire Code is amended to read as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, except in the following zoning districts:

1. A or A-1 Zones.
2. M-1, M-2 or M-3 Zones.
3. NR Zone.

17.32.290 Section 5706.3.1.3 amended – Buildings.

Section 5706.3.1.3 of Chapter 57 of the Kern County Fire Code is amended to read as follows:

5706.3.1.3 Buildings. Wells shall not be drilled within 100 feet (30 480 mm) of buildings not necessary to the operation of the well.

EXCEPTION: For other than buildings of Group A, E or I occupancies, the minimum distances mentioned in this section may be reduced under the following circumstances when approved by the fire code official:

1. The distance may be reduced to 50 feet (15 240 mm) if every exterior wall within 100 feet (30 480 mm) of the wellhead, which could receive direct radiant heat from

the wellhead, is of 1-hour fire resistive construction with no openings or parapets, and the entire building has a non-combustible roof.

2. The distance may be reduced to 25 feet (7620 mm) if every exterior wall within 100 feet (30 480 mm) of the wellhead, which could receive direct radiant heat from the wellhead, is of 2-hour fire resistive construction with no openings or parapets, and the entire building has a non-combustible roof.
3. The distance may be reduced to 25 feet (7620 mm) if the entire building has a non-combustible roof with no parapets, and a barrier is constructed between the wellhead and the building. Such barrier shall have a minimum fire rating of 4-hours. The minimum width of such barrier shall be as required to protect the portions of the building within the 100-foot (30 480 mm) distance from direct radiant heat originating at the wellhead. The minimum height of such barrier shall be the maximum height of the building.

17.32.295 Section 5706.3.3.3 amended – Security.

Section 5706.3.3.3 of Chapter 57 of the Kern County Fire Code is amended to read as follows:

5706.3.3.3 Security. Sumps, diversion ditches and depressions used as sumps containing petroleum products shall be securely fenced and screened in a manner meeting the specifications of California Code of Regulations, Title 14, Subchapter 2.

17.32.300 Section 5804.2.1 added – Maximum Aggregate Capacity.

Section 5804.2.1 is added to Chapter 58 of the Kern County Fire Code to read as follows:

5804.2.1 Maximum Aggregate Capacity of Natural Gas Storage. The storage of natural gas at any one facility shall not exceed an aggregate water capacity of 183,000 gallons (5 181 974 L), except in the following zoning districts:

1. C-1, C-2 or CH Zones.
2. M-2 or M-3 Zones.

17.32.305 Section 5806.2 amended – Limitations.

Section 5806.2 of Chapter 58 is amended to read as follows:

5806.2 Limitations. Storage of flammable cryogenic fluids, including Liquefied Natural Gas (LNG), in stationary containers outside of buildings is prohibited, except in the following zoning districts:

1. M-2 Zone with a Conditional Use Permit issued by the Planning and

2. Natural Resources Department.
2. M-3 Zone.

17.32.310 Section 6104.2 amended – Maximum Capacity within Established Limits.

Section 6104.2 of Chapter 61 is amended to read as follows:

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gas in excess of an aggregate of 2,000 gallons (7570 L) water capacity is prohibited, except in the following zoning districts:

EXCEPTION: The storage of liquefied petroleum gas in excess of 2,000 gallons water capacity is allowed in M-2 or M-3 Zones provided the following conditions are met:

1. The storage vessels are located at least one-half mile from property zoned or designated for residential use and at least one-half mile from existing residential development with a density greater than one dwelling unit per acre and at least one-half mile from any hotel or motel.
2. A Conditional Use Permit is issued by the Planning and Natural Resources Department.

17.32.315 Section 6104.4 amended – Multiple LP-Gas Container Installation.

Section 6104.4, Item 4, of Chapter 61 of the Kern County Fire Code is amended to read as follows:

4. Protected by an approved system for application of water as specified in Table 6.5.1.2 of NFPA 58 or Kern County Fire Prevention Standard 6108.1-1, whichever is more restrictive.

17.32.320 Section 6108.1 amended – General.

Section 6108.1 of Chapter 61 of the Kern County Fire Code is amended to read as follows:

6108.1 General. Fire protection shall be provided for installations having storage containers with a water capacity of more than 4,000 gallons (15 140 L), as specified in Section 6.29 of NFPA 58 or Kern County Fire Prevention Standard 6808.1-1, whichever is more restrictive.

17.32.325 Chapter 80 amended – Referenced Standards.

Chapter 80 of the Kern County Fire Code is amended as follows:

NFPA 855-2020 – Standard for the Installation of Stationary Energy Storage Systems.....1201.1

17.32.330 Appendix D Section D103.3 amended – Turning Radius.

Section D103.3 of Appendix D of the Kern County Fire Code is amended to read as follows:

D103.3 Turning Radius. The inside turning radius of a fire apparatus access road shall be a minimum of 48 feet (15 748 mm).

17.32.335 Appendix D Section D103.4 and Table D103.4 amended – Dead-ends.

Section D103.4 and Table D103.4 of Appendix D of the Kern County Fire Code is amended to read as follows:

**TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS**

Parcel Size (Acres)	Maximum Length of Road (feet)	Minimum Width of Road (feet)	Turnaround Configuration
Less Than 1	Less Than 150	20	None Required
	151 – 500	20	120-foot Hammerhead, 60-foot “Y,” or 96-foot diameter cul-de-sac, in accordance with Figure D103.1
	501 – 800	26	
1 – 5	1,320	26	Special Approval Required
6 – 20	2,640	26	
More Than 20	5,280	26	

Where a dead-end fire apparatus access road serves areas in which several different length limits could apply because of several different parcel sizes, the shortest allowable length shall apply.

Chapter 17.34, Title 17 of the Ordinance Code of the County of Kern, is hereby repealed; and a new Chapter 17.34, Title 17 of the Ordinance Code of the County of Kern, is hereby added to read as follows:

**CHAPTER 17.34
WILDLAND-URBAN INTERFACE CODE**

Sections:

- 17.34.001 Short Title**
- 17.34.010 Wildland-Urban Interface Code – Adopted**
- 17.34.020 Wildland Urban Interface Code – Amendments – General**
- 17.34.030 Section 101.1 amended – Title**
- 17.34.040 Section 103.1 amended – Creation of Agency**
- 17.34.050 Section 113.1 amended – General**
- 17.34.060 Section 113.2 deleted – Limitations of Authority**
- 17.34.070 Section 106.2 amended – Permits Required**
- 17.34.080 Sections 6.3 – 106.10 deleted – Permits**
- 17.34.090 Section 110.1.1 amended – General**
- 17.34.100 Section 202 amended – Definition of Code Official**
- 17.34.110 Section 302.1 amended – Declaration**
- 17.34.120 Section 302.3 amended – Review of wildland urban interface areas**
- 17.34.130 Section 404.5 amended – Adequate Water Supply**
- 17.34.140 Chapter 5 deleted – Special Building Construction Regulations**

- 17.34.150 Section 602 deleted – Automatic Sprinkler Systems**
- 17.34.160 New Materials, Processes or Occupancies Which May Require Permits**
- 17.34.170 Violations – Penalty**

17.34.001 Short Title

This chapter may be cited as the Kern County Wildland-Urban Interface Code.

17.34.010 Wildland-Urban Interface Code – Adopted.

That certain Code known and designated as the “International Wildland-Urban Interface Code,” 2021 Edition, including Appendix Chapters A and C published by the International Code Council, as modified and amended by this chapter, is adopted by reference into this Chapter, and is hereby collectively declared to be the Kern County Wildland-Urban Interface Code for the purpose of regulating the safeguarding of life, property and public welfare to a reasonable degree from the hazards of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels.

17.34.020 Wildland Urban Interface Code – Amendments – General

The following sections of the 2021 International Wildland-Urban Interface Code are modified to read as set out in this chapter.

17.34.030 Section 101.1 amended – Title.

Section 101.1 of Chapter 1 of the Kern County Wildland-Urban Interface Code is amended to read as follows:

101.1 Title. These regulations shall be known as the Kern County Wildland-Urban Interface Code, hereinafter referred to as “this code.”

17.34.040 Section 103.1 amended – Creation of Agency.

Section 103.1 of Chapter 1 of the Kern County Wildland-Urban Interface Code is amended to read as follows:

103.1 Creation of Agency. The Kern County Fire Department shall enforce this code and the Fire Chief shall be the code official.

17.34.050 Section 113.1 amended – General.

Section 113.1 of Chapter 1 of the Kern County Wildland-Urban Interface Code is amended to read as follows:

113.1 General. Any decision of the Chief relating to the interpretation of this code, or to the standards referred to hereinabove, shall be subject to appeal to the Board of Building Appeals, upon payment of the fee required for Kern County Building Code appeals to that Board. Any decision of the Board of Building Appeals shall be subject to appeal to the Board of Supervisors, as provided by Section 17.04.160 of this title.

17.34.060 Section 113.2 deleted – Limitations of Authority.

Section 113.2 of Chapter 1 of the Kern County Wildland-Urban Interface Code is deleted.

17.34.070 Section 106.2 amended – Permits Required.

Section 106.2 of Chapter 1 of the Kern County Wildland-Urban Interface Code is amended to read as follows:

106.2 Permits required. Unless otherwise exempted, no building or structure regulated by this code shall be erected, constructed, altered, repaired, moved, removed, converted, or demolished unless a separate permit for each building or structure has first been obtained from the building official.

For buildings or structures erected for temporary uses, see Appendix A, Section A108.3 of this code.

A permit shall be obtained for the activities, operations, practices or functions within a wildland-urban interface area when required by the Kern County Fire Code.

17.34.080 Sections 106.3 – 106.10 deleted – Permits.

Sections 106.3 through 106.10 of Chapter 1 of the Kern County Wildland-Urban Interface Code are deleted.

17.34.090 Section 110.1.1 amended – General.

Section 110.1.1 of Chapter 1 of the Kern County Wildland-Urban Interface Code is amended to read as follows:

110.1.1 General. All construction or work for which a permit is required by this code shall be subject to inspection by the code official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the code official.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

It shall be the duty of the person doing the work authorized by a permit to notify the chief that such work is ready for inspection. Every request for inspection shall be filed not less than two working days before such inspection is desired. Such request may be in writing or by telephone.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

A survey of the lot may be required by the code official to verify that the mitigation features are provided and the building or structure is located in accordance with the approved plans.

17.34.100 Section 202 amended – Definition of Code Official.

The definition of Code Official in Section 202 of Chapter 2 of the Kern County Wildland-Urban Interface Code is amended to read as follows:

CODE OFFICIAL is the Fire Chief of the Kern County Fire Department, or the Fire Chief's authorized representative.

17.34.110 Section 302.1 amended – Declaration.

Section 302.1 of Chapter 3 of the Kern County Wildland-Urban Interface Code is amended to read as follows:

302.1 Declaration. The wildland-urban interface areas shall include any land which is covered with grass, grain, brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location, that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. The Chief shall officially determine and publicly announce the creation of each wildland-urban interface area. The boundaries of the Hazardous Fire Area referred to in this code shall include the geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, and other such areas determined to be at a significant risk from wildfires.

17.34.120 Section 302.3 amended – Review of wildland urban interface areas.

Section 302.3 of Chapter 3 of the Kern County Wildland-Urban Interface Code is amended to read as follows:

302.3 Review of wildland urban interface areas. The code official shall reevaluate and recommend modification to the wildland-urban interface areas every five years.

17.34.130 Section 404.5 amended – Adequate Water Supply.

Section 404.5 of Chapter 4 of the Kern County Wildland Urban Interface Code is amended to read as follows:

404.5 Adequate Water Supply. Adequate water supply shall be determined for purposes of initial attack and flame front control as follows:

1. The minimum fire flow and flow duration requirements for one- and two-family dwellings shall be 500 gallons per minute (1893 L/min) for a minimum duration of 30 minutes.
2. The water supply required for buildings other than one- and two-family dwellings shall be as required in Section 507 of the Kern County Fire Code.

17.34.140 Chapter 5 deleted – Special Building Construction Regulations. Chapter 5 of the Kern County Wildland-Urban Interface Code is deleted.

17.34.150 Section 602 deleted – Automatic Sprinkler Systems.

Section 602 of Chapter 6 of the Kern County Wildland-Urban Interface Code is deleted.

17.34.160 New Materials, Processes or Occupancies Which May Require Permits.

The Chief of the Fire Department, the Fire Marshal and the Building Official shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said code. The Fire Marshal shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

17.34.170 Violations – Penalty.

Any person who shall violate a provision of this code or who shall fail to comply with any of the requirements thereof or fail to comply with any order made thereunder by competent authority, or who shall erect, install, alter, repair or do work which deviates from any specifications or plans submitted to and approved by the fire marshal, or of a permit or certificate issued under provisions of this code shall for each and every such violation or failure to comply be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not more than \$1,000, or by imprisonment in the county jail of the County of Kern for not more than six (6) months, or both such fine and imprisonment. The administrative penalty for any violation of this code shall be as provided in Ordinance Code Section 8.54.060. All enforcement of administrative penalties shall be conducted pursuant to Chapter 8.54 of the Ordinance Code.

A conviction for any offense under the provisions of this code shall not excuse the violation or authorize its continuance and the person or persons convicted of such offense shall be required to correct or remedy any condition or installation which fails to comply with the requirements of this code with reasonable diligence. Each day that a condition prohibited by the provisions of this code is caused or permitted to be maintained or continued shall constitute a separate and distinct offense.