

DOCKETED	
Docket Number:	22-BSTD-07
Project Title:	Local Ordinance Applications Exceeding the 2022 Energy Code
TN #:	266551
Document Title:	City of Mill Valley Ordinance No 1340
Description:	Plain text of City of Mill Valley ordinance no. 1340
Filer:	Anushka Raut
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	10/13/2025 2:50:28 PM
Docketed Date:	10/13/2025

ORDINANCE NO. 1340

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILL VALLEY AMENDING CHAPTERS 14.05, 14.48, AND 15.04 OF THE MILL VALLEY MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2022 EDITIONS OF THE CALIFORNIA FIRE, ADMINISTRATIVE, BUILDING, RESIDENTIAL, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, GREEN BUILDING, HISTORICAL BUILDING, EXISTING BUILDING, REFERENCED STANDARDS CODES, AND APPENDIX A OF THE 2021 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, WITH AMENDMENTS TO REFLECT LOCAL CONDITIONS

THE CITY COUNCIL OF THE CITY OF MILL VALLEY does ordain as follows:

SECTION 1: Chapter 15.04 of the Mill Valley Municipal Code is hereby deleted and replaced in its entirety to read as follows:

“15.04.020: Adoption of the California Fire Code

The City Council of the City of Mill Valley hereby adopts, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the following:

1. The 2022 California Fire Code, which consists of certain portions of the 2021 edition of the International Fire Code as amended by the California Building Standards Commission, including:
 - a. Appendix 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
 - b. Appendix B FIRE FLOW REQUIREMENTS FOR BUILDINGS, the whole thereof, save and except such portions as are hereafter deleted, modified or amended by Section 15.04.120 of this Code.
 - c. Appendix BB FIRE FLOW REQUIREMENTS FOR BUILDINGS
 - d. Appendix C FIRE HYDRANT LOCATIONS AND DISTRIBUTION, the whole thereof, save and except such portions as are hereafter deleted, modified or amended by Section 15.04.120 of this Code.
 - e. Appendix CC FIRE HYDRANTS LOCATIONS AND DISTRIBUTIONS
 - f. Appendix E HAZARD CATEGORIES
 - g. Appendix F HAZARD RANKING
 - h. Appendix G CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS
 - i. Appendix H HAZARDOUS MATERIALS MANAGEMENT PLAN AND HAZARDOUS MATERIAL INVENTORY STATEMENTS
 - j. Appendix I FIRE PROTECTION SYSTEMS- NONCOMPLIANT CONDITIONS

k. Appendix O TEMPORARY HAUNTED HOUSES, GHOST WALKS AND SIMILAR AMUSEMENT USES.

2. The International Fire Code published by the International Fire Code Council, Inc., 2022 Edition hereof and the whole thereof, save and except such portions as are hereinafter amended, added or deleted by Section 1 of this Ordinance.
3. Appendix A of the 2021 edition of the International Wildland-Urban Interface Code save and except such portions as are hereinafter deleted, modified or amended by Section 1 of this Ordinance.

Not less than one (1) copy of the Codes and Standards hereby adopted is filed in the office of the Fire Marshal of the Mill Valley Fire Department, and the same are hereby adopted and incorporated fully as if set out at length herein, and from the date on which this Ordinance shall take effect, and the provisions thereof shall be controlling within the limits of the City of Mill Valley.

15.04.030: Establishment and duties of the Fire Loss Prevention Division of the Mill Valley Fire Department

The 2022 California Fire Code, which consists of certain portions of the 2021 edition of the International Fire Code as amended by the California Building Standards Commission, shall be enforced by the Fire Marshal of the Mill Valley Fire Department and shall be operated under the supervision of the Fire Chief or his/her designee of the Mill Valley Fire Department.

15.04.040: Definitions

Wherever they appear in the California Fire Code, unless otherwise provided, the following words shall have the meanings ascribed to them in this section:

- (a) Whenever the words "Fire Code" are used they shall mean those Codes and Standards adopted in this chapter.
- (b) Wherever the words "agency having jurisdiction" are used in the Fire Code, it shall be held to mean the Mill Valley Fire Department.
- (c) Wherever the term "counsel" is used in the Fire Code, it shall be held to mean the City Attorney for the City of Mill Valley.
- (d) Wherever the words "Fire Code Official" are used in the Fire Code, they shall be held to mean the Fire Chief or Fire Marshal of the Fire Loss Prevention Division of the Mill Valley Fire Department or his/her designee.

15.04.050: Establishment of geographic limits of districts in which storage of Class I, Class II, and Class III liquids in outside aboveground tanks is prohibited

The geographic limits referred to in Section 5704.2.9.6.1 of the 2022 California Fire Code in which storage of Class I, Class II, and Class III liquids in outside above-ground tanks is prohibited are hereby established as follows: In all residential areas and in all heavily populated or congested commercial areas as established by the City of Mill Valley, and agricultural land of less than two (2) acres.

15.04.060: Establishment of geographic limits of districts in which storage of Class I and Class II liquids in aboveground tanks is prohibited

The geographic limits, referred to in Section 5706.2.4.4 of the 2022 California Fire Code in which storage of Class I and Class II liquids in aboveground tanks is prohibited, are hereby established as follows: In all residential areas and in all heavily populated or congested commercial areas as established by City of Mill Valley, and agricultural land of less than two (2) acres.

15.04.065: Establishment of the geographic limits of districts in which the storage of stationary tanks of flammable cryogenic fluids is to be prohibited

The geographic limits, referred to in Section 5806.2 of the 2022 California Fire Code in which the storage of flammable cryogenic fluids in stationary containers are prohibited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, as established by the City of Mill Valley.

15.04.070: Establishments of geographic limits in which storage of liquefied petroleum gases is to be restricted

The geographic limits, referred to in Section 6104.2 of the 2022 California Fire Code in which storage of liquefied petroleum gas is restricted, are hereby established as follows: In all residential areas and in all heavily populated or congested commercial areas, and agricultural land less than two (2) acres.

15.04.080: Establishment of geographic limits of districts in which storage of explosives and blasting agents is to be prohibited

Section 5604 of the California Fire Code is hereby amended to add a new Section 5604.1.1 to read as follows:

5604.1.1 Geographic Limits. The geographic limits in which storage of explosives and blasting agents is prohibited are as follows: In all residential areas and in heavily populated or congested commercial areas as established by the City of Mill Valley.

15.04.090: Establishment of the geographic limits of districts in which the storage of compressed natural gas is to be prohibited

Section 5304 of the California Fire Code is hereby amended to add a new Section 5304.3 to read as follows:

5304.3 Geographic Limits. The geographic limits, in which the storage of compressed natural gas is prohibited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, as established by the City of Mill Valley.

15.04.110: Establishment of the geographic limits of districts in which the storage of hazardous materials is to be prohibited or limited

Section 5001 of the California Fire Code is hereby amended to add a new Section 5001.1.2 to read as follows:

5001.1.2 Geographic Limits. The geographic limits, in which the storage of hazardous materials is prohibited or limited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, as established by City of Mill Valley.

15.04.120: Amendments made to the 2022 California Fire Code

The following amendments, additions, and deletions are made to the 2022 California Fire Code (CFC):

CFC Chapter 1: Scope and Administration

Section 101.1 of Chapter 1 is amended to read as follows:

Section 101.1 Title. These regulations and locally adopted standards shall be known as the Fire Code of the City of Mill Valley, hereinafter referred to as “this code.”

Section 102.5 of Chapter 1 is hereby amended to read as follows:

102.5 Application of residential code. Where structures are designed and constructed in accordance with the *California Residential Code* or the *International Residential Code*, the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Construction and design provisions of this code pertaining to the interior of the structure shall apply when specifically required by this code, including but not limited to Section 903.2 and Chapter 12. Where interior or exterior systems or devices are installed, construction permits required by Section 105.6 of this code shall also apply
2. Administrative, operational and maintenance provisions of this code shall apply.

Section 102.7.3 is hereby added to Chapter 1 and shall read as follows:

1. **Section 102.7.3 Nationally Recognized Listed Products.** Any products and equipment required to be installed pursuant to permits required by this code shall be Labeled and Listed, as defined in Section 202.

Section 104.1.1 is hereby added to Chapter 1 and shall read as follows:

Section 104.1.1 Supplemental Rules, Regulations and Standards or Policies. The Fire Code Official is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations, and to develop Fire Protection Standards or Policies to carry out the application and intent of this code.

Section 104.13 is hereby added to Chapter 1 and shall read as follows:

Section 104.13. Fire Prevention Resource Sharing. Other enforcement agencies shall have authority to render necessary assistance in plan review, inspection, code interpretation, enforcement, investigation and other fire prevention services when requested to do so.

Section 105.5 of Chapter 1 is hereby amended by adding the following additional operational permits:

105.5 Required Operational Permits. The fire code official is authorized to issue operational permits for operations set forth in Sections 105.5.1 through 105.5.55.

Section 105.5.55 is hereby added to Chapter 1 and shall read as follows:

105.5.55 Local Operational Permits. In addition to the permits required by Section 105.5, the following permits shall be obtained from the Fire Loss Prevention Division of the Mill Valley Fire Department prior to engaging in the following activities, operations, practices or functions:

1. Fire Protection Plan. An operational permit is required to implement a fire protection plan.
2. Radioactive material. An operational permit is required to store or handle at any installation more than 1 micro curie (37,000 Becquerel) of radioactive material not contained in a sealed source or more than 1 millicurie (37,000,000 Becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which specific license from the Nuclear Regulatory Commission is required.

Section 105.6 of Chapter 1 is hereby amended by adding the following additional construction permits:

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 105.6.25

Section 105.6.25 of Chapter 1 is hereby added to read as follows:

105.6.25 Local Construction Permits. In addition to the permits required by section 105.6, the following permits shall be obtained from the Fire Prevention Division prior to installation of the following:

1. **Exterior Wildfire Protection Systems.** A construction permit is required for the installation of or design modification to an Exterior Wildfire Protection System as regulated by section 918.
2. **Home Backup Generator.** A construction permit is required for the installation of a home backup generator as regulated by section 1208.
3. **Vegetation Management Plan.** A construction permit is required to implement a vegetation management plan.

Section 107.7 is hereby added to Chapter 1 and shall read as follows:

Section 107.7 Damages and Expense Recovery. The expense of securing any emergency that is within the responsibility for enforcement of the Fire Chief as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.

Section 112.4 of Chapter 1 is hereby amended to read as follows:

Section 112.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this code, shall be subject to the penalties set forth in Title 8 of the Mill Valley Municipal Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue.

Section 112.4.2 is hereby added to Chapter 1 and shall read as follows:

Section 112.4.2 Abatement of clearance of brush or vegetative growth from structures. The Mill Valley City Council is authorized to instruct the Fire Code Official to give notice to the owner of the property upon which conditions regulated by section 304.1.2 of Chapter 3 and section 4907.4 of Chapter 49 exists to correct such conditions. If the owner fails to correct such conditions, the Mill Valley City Council is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

CFC Chapter 2: Definitions

Section 202 of Chapter 2 is hereby amended by adding the following new terms and definitions in alphabetical order:

ALL WEATHER SURFACE shall mean A/C paving, or concrete capable of supporting 55,000 pounds gross vehicle weight. Grades up to and including 18% may be of asphalt or concrete paving. Grades greater than 18% shall be of ribbed concrete as to allow for water run-off and traction.

Exception: Materials approved by the Fire Code Official.

COVERINGS. Materials including, but not limited to gypsum board, paneling, floor boards, lathe and plaster, wood paneling, brick and mortar, or other materials attached to rough framing of the building elements. 'Coverings' do not include carpet, linoleum, tile, wall paper, or other decorative finishes.

DRIVEWAY is a vehicular ingress/egress access route that serves no more than four dwelling units, not including accessory structures. Driveways shall provide a minimum unobstructed width 16 feet and a minimum unobstructed height of 15 feet. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and less than 20 feet in width shall be provided with turnouts in addition to turnarounds.

EXTERIOR WILDFIRE PROTECTION SYSTEM An approved system of devices and equipment which is automatically or manually activated to discharge water and/or an approved fire-extinguishing agent onto the structure and or the exterior of the structure to hydrate the Immediate Zone 0 (0-5 feet from the home, including the home) and the Intermediate Zone 1 (5-30 feet from the home).

FIRE ROAD. An improved or unimproved road, public or private, that provides access for firefighting equipment and personnel to undeveloped areas.

HOME BACKUP GENERATOR. A permanent, fixed installation, internal combustion engine-driven device that provides temporary electrical power to a Group R-3 and R-4 Occupancies.

OCCUPANCY CLASSIFICATION is modified to include:

[BG] **Factory Industrial F-1 Moderate-hazard occupancy** is amended to add to the list of moderate-hazard factory industrial groups the following:

Agricultural crop production including cultivation, drying, processing and /or storage.

PRE-PLANS. The detailed plans of target hazard buildings. The term ‘pre-plans’ includes information on the building's location, occupancy, hazards, fire department connections and hydrants, building layout, and other pertinent data that would assist the fire department in case of an emergency.

PUBLIC STORAGE FACILITY. Any business that sells, leases or rents space to the public that is enclosed, whether it is a building, storage container or similar configuration.

SPARK ARRESTOR. A chimney device constructed in a skillful-like manner, consistent with the following. The net free area of a spark arrestor shall not be less than four times the net free area of the outlet of the chimney. The spark arrestor screen shall have heat and corrosion resistance equivalent to 12-gauge wire, 19-gauge galvanized wire or 24-gauge stainless steel. The opening shall not permit the passage of spheres having a diameter larger than 1/2 inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.

SUBSTANTIAL REMODEL shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent of the existing floor area of the structure within any 36 month period. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for the purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

TARGET HAZARD is defined as a location or plausible scenario in which a fire department or fire district could quickly become overwhelmed and for which additional resources, now scarce, would be needed.

TEMPORARY. Any use for a period of less than 90 days, where not otherwise referenced.

TENT. A structure, enclosure, umbrella structure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

UNWARRANTED ALARM. The giving, signaling or transition of an alarm notification to a public fire station or emergency communication center when such alarm is the result of a defective condition of an alarm system, system servicing testing, construction

activities, ordinary household activities, false alarm or other cause when no such danger exists.

CFC Chapter 3: General Requirements

Section 302.1 of Chapter 3 is hereby amended to add the following to the list of terms that are defined in Chapter 2:

PUBLIC STORAGE FACILITY.

A new Section 324 is hereby added to Chapter 3 and shall read as follows:

SECTION 324 PUBLIC STORAGE FACILITIES

Section 324.1 General. Public Storage Facilities shall comply with the provisions of this section.

Section 324.2 Location on Property and Fire Resistance of Exterior. All public storage facilities shall meet the minimum requirements for setback from property lines or fire resistive construction as set forth in Table 602 of the Building Code for Group S, Division 1 occupancies.

Section 324.3. Fire apparatus access. All public storage facilities shall have fire apparatus access roads provided in accordance with Section 503.

Section 324.4. Storage of Flammable and Combustible Liquids and Hazardous Materials. The storage of hazardous materials or flammable or combustible liquids in public storage facilities is prohibited. Public storage facilities shall post legible and durable sign(s) to indicate this prohibition in a manner and location(s) as specified by the Fire Code Official. This section shall apply to new and existing public storage facilities.

Exception: Only those quantities of flammable and combustible liquids necessary for maintenance of the facility may be stored by the facility management consistent with Chapter 57 of this code.

CFC Chapter 4: Emergency Planning and Preparedness

Section 401.1.1 is hereby added to Chapter 4 and shall read as follows:

Section 401.1.1 Hazardous Occupancies. In occupancies of a hazardous nature, where access for fire apparatus is unduly difficult, or where special life and fire safety hazards exist as determined by standards/policies of the City of Mill Valley, that facility or business management shall be required to develop and implement an Emergency Response Plan, and to provide for an onsite Emergency Response Team, Emergency Liaison Officer, staff training and fire drills, in accordance with Sections 405 and 406 and standards developed by the City of Mill Valley.

Section 401.3.2.1 is hereby added to Chapter 4 and shall read as follows:

Section 401.3.2.1 Unwarranted Alarm Notification. Notification of emergency responders based on an unwarranted alarm may be punishable by a fine in accordance with the adopted fee schedule. In addition, the responsible party may be liable for the operational and administrative costs incurred from the emergency response or mitigation procedures resulting from an unwarranted alarm notification.

Section 401.3.2.2 is hereby added to Chapter 4 and shall read as follows:

Section 401.3.2.2 Multiple Unwarranted or Nuisance Alarm Activations. Any occupancy that has more than 3 unwarranted or nuisance alarms causing emergency response within a 12-month period may be required to modify, repair, upgrade or replace their system and or monitoring station as determined by the Fire Code Official.

Section 402.1 of Chapter 4 is hereby amended to add the following to the list of terms that are defined in Chapter 2:

**PRE-PLANS.
UNWARRANTED ALARMS.
TARGET HAZARDS**

Section 403.1.1 is hereby added to Chapter 4 and shall read as follows:

Section 403.1.1 Pre-plans: When required by the Fire Code Official, pre-plans shall be developed for target hazard buildings according to the written standards developed by the authority having jurisdiction.

Section 403.9.1.4 is hereby added to Chapter 4 and shall read as follows:

Section 403.9.1.4 Emergency Preparedness for Hotels, Lodging Houses and Congregate Residences. Hotels, lodging houses and congregate residences shall provide guests with immediate access to a telephone to report emergencies. The exit diagram shall indicate the location of the nearest telephone and instructions to dial 911.

CFC Chapter 5: Fire Service Features

Section 501.5 is hereby added to Chapter 5 and shall read as follows:

Section 501.5 Failure to Comply. Failure to comply with this section upon written or verbal notice from the Fire Code Official shall result in a City of Mill Valley order to cease operations and desist further operations until such time as adequate access and/or water for fire protection is provided.

Section 502.1 of Chapter 5 is hereby amended by adding the following to the list of terms that are defined in Chapter 2:

**FIRE ROAD.
DRIVEWAY.**

Section 503.1. of Chapter 5 is hereby amended to read as follows:

Section 503.1 Where Required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.5.

Section 503.1.4 is hereby added to Chapter 5 and shall read as follows:

Section 503.1.4 Fire Roads. Fire roads shall be provided for firefighting equipment, apparatus and personnel to undeveloped areas of the City of Mill Valley so as to gain access to improved, unimproved, and undeveloped areas of the City of Mill Valley, in a manner approved by the Fire Code Official. Any vehicle or other obstructions may be towed away at the owner's expense.

Section 503.1.5 is hereby added to Chapter 5 and shall read as follows:

Section 503.1.5 Aerial fire apparatus access. For buildings or facilities exceeding 30 feet or three stories in height, approved aerial fire apparatus access roads shall be provided. For the purposes of this section, the highest roof surface shall be determined by the measurement to the eave of the pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

Section 503.1.5.1 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

Section 503.1.5.2 Proximity to building. One or more of the required access routes meeting this condition shall be located not less than 15 feet and not more than 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the Fire Code Official.

Section 503.1.5.3 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus access road and the building. Other obstructions shall be permitted to be placed with the approval of the Fire Code Official.

Section 503.2.1 of Chapter 5 is hereby amended by adding an exception, which shall read as follows:

Exception: Driveways serving as fire apparatus access roads that serve fewer than five

structures may reduce the required unobstructed width to 16 feet.

Section 503.2.6.1 is hereby added to Chapter 5 and shall read as follows:

Section 503.2.6.1 Evaluation and maintenance. All existing private bridges and elevated surfaces that are a part of a fire apparatus access road shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for safety and weight rating, in accordance with American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation," Second Edition, or other approved standard. Vehicle load limits shall be posted at both entrances to bridges. All bridges and elevated structures providing fire department access shall be routinely maintained in accordance with Section 503.2.6 or when directed by the Fire Code Official or authorized designee.

Section 503.4 of Chapter 5 is hereby amended to read as follows:

Section 503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in sections 503.2.1 and 503.2.2 shall be maintained at all times. Any vehicle or other obstruction may be towed away at the owner's expense.

Section 503.4.2 is hereby added to Chapter 5 and shall read as follows:

503.4.2 Prohibition of vehicular parking on private access ways. If, in the judgment of the Fire Code Official, it is necessary to prohibit vehicular parking along private access ways serving existing facilities, buildings, or portions of buildings in order to keep them clear and unobstructed for fire apparatus access, the Fire Code Official may issue an Order to the owner, lessee or other person in charge of the premises to paint the curbs red or install signs or other appropriate notices to the effect that parking is prohibited by Order of the Fire Department. It shall thereafter be unlawful for such owner, lessee or other person in charge of the premises to fail to install or maintain in good condition, the form of notice so prescribed. When such areas are marked or signed as provided herein, no person shall park a vehicle adjacent to any such curb or in the private access way contrary to such markings or signs. Any vehicle so parked in the private access way may be towed away at the expense of the owner of the vehicle.

Sections 503.6.1, 503.6.2, and 503.6.3 are hereby added to Chapter 5 and shall read as follows:

Section 503.6.1 Width. All gates shall open fully to provide an unobstructed passage width of not less than 16 feet or a minimum of two feet wider than the approved net clear opening of the required all weather roadway or driveway and a minimum net vertical clearance of 15 feet.

Section 503.6.2 Electronic gates. All electronic operated gates shall have installed an approved key switch override system mounted on a stanchion or wall as approved by the

Fire Code Official in accordance with Standards/Policies adopted by the Fire Code Official. All electronic or motorized gates shall incorporate in their design the means for fast, effective manual operation of the gates in the event of a power or mechanical failure (i.e., easily removable hinge pins for separating power linkage from gates; undercut, weakened or frangible members requiring 40 pounds or less pressure against the gates to cause their failure and the gates to open). All electrical wiring and components of motorized gates shall be UL listed and installed in accordance with the National Electric Code.

Section 503.6.3 Gate Setback Required. Gates shall be set back from roadways a minimum of 30 feet or more so as not to cause cross traffic to stop or create a hazardous traffic condition on the roadway approach to the driveway.

Exception: The Fire Code Official is authorized to modify the setback if fire apparatus access onto the property is not required to achieve 150 foot access to the most remote portion of the building per 503.1.1.

Section 506.1 of Chapter 5 is hereby amended to read as follows:

Section 506.1 Key Entry Systems. When access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, and in commercial structures that have an automatic fire sprinkler or fire alarm system installed, the Fire Code Official is authorized to require a key entry system to be installed in an approved location. The key entry system shall be of an approved type listed in accordance with UL1037, and if it is a key entry box, shall contain keys necessary to gain access as required by the Fire Code Official.

Section 507.5.1 of Chapter 5 is hereby amended by deleting the Exception.

Section 507.5.1.1 of Chapter 5 is hereby amended to read in its entirety as follows:

Section 507.5.1.1 Hydrant for fire department connections. Buildings equipped with a water-based fire protection system installed in accordance with Section 903 through 905 shall have a fire hydrant within 100 feet of the fire department connections.

Exception: The distance shall be permitted to exceed 100 feet where approved by the Fire Code Official.

Section 507.5.7 is hereby added to Chapter 5 and shall read as follows:

Section 507.5.7 Fire hydrant upgrades. When additions or modifications to structures are made, the nearest fire hydrant (if a new one is not required) located by the Fire Code Official or his/her designee shall be upgraded to the minimum standard of one 4 1/2" outlet and one 2 1/2" outlet for single family dwellings and the minimum standard of one 4 1/2" outlet and two 2 1/2" outlets for commercial structures.

Exceptions:

1. If the cost of upgrading the fire hydrant exceeds 2% of the cost of the project based on the building permit valuation.
2. One and two family dwellings equipped throughout with an approved automatic sprinkler system.

Section 510.1 of Chapter 5 is hereby amended by deleting Exception 1.

CFC Chapter 9: Fire Protection and Life Safety Systems

Section 901.7 of Chapter 9 is hereby amended to read as follows:

Section 901.7 Systems out of Service. Where a required fire protection system is out of service, the fire department and the Fire Code Official shall be notified immediately and, where required by the Fire Code Official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. This section shall also apply to residential fire sprinkler systems.

Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

Section 903.2 of Chapter 9 is hereby deleted and replaced with the following provisions, with the exception of sub-sections 903.2.5, 903.2.6, 903.2.8, 903.2.11, 903.2.12, 903.2.14, 903.2.15, 903.2.16, 903.2.17, 903.2.18, 903.2.19, 903.2.20 and 903.2.21 which shall remain in effect.

Section 903.2 is hereby added to Chapter 9 and shall read as follows:

Section 903.2 Where required. Approved automatic sprinkler systems in new and existing buildings shall be provided in the locations described in this section.

Section 903.2.1 through 903.2.4 are hereby added to Chapter 9 and shall read as follows:

Section 903.2.1 Required Installations. An automatic sprinkler system shall be installed and maintained in all newly constructed buildings or structures, regardless of occupancy classification.

Exceptions:

1. Free standing Group U occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as required under Section 602, Table 602 of the California Building Code.
2. Group B or M occupancies less than 1000 square feet.
3. Detached restroom facilities associated with golf courses, ball fields, parks and similar uses as approved by the Fire Code Official.

4. Agricultural buildings, as defined in Appendix C of the California Building Code, that do not exceed 2,000 square feet and that have a clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.

Section 903.2.2 Additions and Alterations. An automatic sprinkler system shall be installed in all buildings that are in excess of 3,000 square feet and to which ten per cent (10%) or more floor area is added within any 36 month period.

Exception: R-3 occupancies. See 903.2.3.

Section 903.2.2.1 Substantial Remodels. An automatic sprinkler system shall be installed in all buildings to which fifty per cent (50%) or more floor area is added, or that undergo any substantial remodel as defined in this code, within any 36 month period.

Section 903.2.3 Group R-3. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies, and shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the California Residential Code. An automatic sprinkler system shall be installed in all mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Section 903.2.4 Change of Occupancy or Use. For any change of occupancy or use, when the proposed new occupancy classification is more hazardous based on a fire and life safety evaluation by the Fire Code Official, including but not limited to conversion of buildings to single family residences, bed and breakfast, inns, lodging houses or congregate residences or other similar uses, an automatic sprinkler system shall be installed throughout.

Section 903.3.9 of Chapter 9 is hereby amended by revising subsection 2 to read as follows:

2. Buildings that are two or more stories in height.

Section 903.4 is hereby amended by deleting Exceptions 1, 2, and 3.

Section 903.6.1 is hereby added to Chapter 9 and shall read as follows:

Section 903.6.1 Application. In all existing buildings, when the addition of automatic fire sprinklers are required by the provisions of this code, automatic fire sprinklers shall be extended into all unprotected areas of the building.

Section 906.11 is hereby added to Chapter 9 and shall read as follows:

Section 906.11 Fire Extinguisher Documentation. The owner and/or operator of every Group R-2 occupancy shall annually provide the Fire Code Official with written documentation that fire extinguishers are installed and have been serviced as required by

Title 19 of the California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.

Section 907.2.13.1.2 of Chapter 9 is hereby amended by adding a new subsection 3, which shall read as follows:

3. Duct smoke detectors shall be capable of being reset by a readily accessible, remote push button or key activated switch as approved by the Fire Code Official.

Section 907.6.6 of Chapter 9 is hereby amended to read in its entirety as follows:

Section 907.6.6 Monitoring. New and upgraded fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved Central Station in accordance with NFPA 72 and this section.

Exception: Monitoring by a Central Station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.

Section 907.8.5 is hereby added to Chapter 9 and shall read as follows:

Section 907.8.5 Smoke Alarm Documentation. The owner and/or operator of every Group R-1, R-2, R-3.1, and R-4 occupancy shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

Section 918 of Chapter 9 is hereby added and shall read as follows:

SECTION 918 EXTERIOR WILDFIRE PROTECTION SYSTEMS

Section 918.1 of Chapter 9 is hereby added and shall read as follows:

Section 918.1 General. Exterior Wildfire Protection Systems shall comply with this section.

Section 918.2 of Chapter 9 is hereby added and shall read as follows:

Section 918.2 Construction documents. Documentation of the system shall be submitted per section 901.2.

Section 918.3 of Chapter 9 is hereby added and shall read as follows:

Section 918.3 Permits. Permits shall be required as set forth in section 901.3

CFC Chapter 11: Construction Requirements for Existing Buildings

Section 1103.1 of Chapter 11 is hereby amended to read as follows:

Section 1103.1 Required Construction. Existing buildings shall comply with not less than the minimum provisions specified in Table 1103.1 and as further enumerated in Sections 1103.2, 1103.7 through 1103.8.5.3, 1103.9.1, and 1103.10.

The provisions of this chapter shall not be constructed to allow the elimination of fire protection systems or a reduction in the level of fire safety provided in buildings constructed in accordance with previously adopted codes.

Exceptions:

1. Where a change in fire-resistance rating has been approved in accordance with Section 501.2 or 802.6 of the California Existing Building Code.
2. Group U occupancies.

Section 1103.2 of Chapter 11 is hereby amended by deleting subsection 1.

Sections 1103.3 through 1103.6.2, Section 1103.9, Section 1104, and Section 1105 of Chapter 11 are hereby deleted.

CFC Chapter 12: Energy Systems

Section 1201.4 of Chapter 12 is hereby added and shall read as follows:

Section 1201.4 Construction Documents. A scaled and dimensioned site plan showing the location of all energy systems, property lines, buildings, service and electrical panels, transfer switches, disconnects, underground wiring and piping, fuel type and piping, map placard and signage. Site Plan shall clearly designate property frontage for viewer orientation.

Section 1201.5 of Chapter 12 is hereby added and shall read as follows:

Section 1201.5 Signs and Labels. Caution signs or labels are required to identify the quantity and type of additional power source(s) located on site. Signs shall be required at the main service panel, and on disconnect equipment. Additional locations may be required by the fire code official.

Section 1201.6 of Chapter 12 is hereby added and shall read as follows:

Section 1201.6 Disconnect. An approved and readily accessible independent and clearly labeled single exterior disconnect shall be located prior to any load/service panel and installed as close as possible to the main service panel or as approved by the Fire Code Official. Integrated equipment toggle, rocker, or electronic switches shall not be utilized as an independent disconnects.

Section 1201.7 of Chapter 12 is hereby added and shall read as follows:

Section 1201.7 Operational Testing. New installations shall be tested for complete power and energy system shutdown. A normal power failure shall be simulated by closing the main service breaker supplying normal power to the building. Upon transfer from main power to alternate power source(s), the single disconnect(s) shall be used to disconnect alternate power from all alternate energy sources. A successful result of the shutdown test shall include termination of all alternate energy power sources serving the building (i.e. main service, photovoltaic system, energy storage systems, and generators, when installed).

Section 1202.1 in Chapter 12 is hereby amended to add the following:

HOME BACKUP GENERATOR

Section 1208 of Chapter 12 is hereby added and shall read as follows:

SECTION 1208 HOME BACKUP GENERATOR

Section 1208.1 of Chapter 12 is hereby added and shall read as follows:

Section 1208.1 General. The use, operation and maintenance of home backup generators in Group R-3 and R-4 occupancies shall comply with this section.

Section 1208.2 of Chapter 12 is hereby added and shall read as follows:

Section 1208.2 Use. Home backup generators shall be installed in accordance with the California Building Code, the California Electrical Code, and NFPA 110.

Section 1208.3 of Chapter 12 is hereby added and shall read as follows:

Section 1208.3 Permits. Permits shall be obtained for Home Backup Generators as set forth in Section 105.

Section 1208.4 of Chapter 12 is hereby added and shall read as follows:

Section 1208.4 Listing. Home backup generators shall be listed and labeled in accordance with UL 2200.

Section 1208.5 of Chapter 12 is hereby added and shall read as follows:

Section 1208.5. Maintenance. Home backup generators shall be operated and maintained in accordance with the manufacturer's instructions.

CFC Chapter 26: Fumigation and Insecticidal Fogging

Chapter 26 is hereby deleted in its entirety.

CFC Chapter 33: Fire Safety During Construction

Section 3314.3 of Chapter 33 is hereby amended by revising the exception to read as follows:

Exception: Standpipes shall be either temporary or permanent in nature, and with or without a water supply, provided that such standpipes comply with the requirements of Section 905 as to capacity, outlets and materials, as approved by the Fire Code Official.

Sections 3315.3, 3315.4, and 3315.5 are hereby added to Chapter 33 and shall read as follows:

Section 3315.3 Where required. In buildings of combustible construction required to have an automatic sprinkler system by Section 903, the automatic sprinkler system shall be installed prior to construction exceeding two stories in height above the lowest level of fire department vehicle access. Such automatic sprinkler system shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

Section 3315.4 Buildings being demolished. Where a building is being demolished and an automatic sprinkler system is existing within such a building, the automatic sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such automatic sprinkler system shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

Section 3315.5 Detailed requirements. Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.

CFC Chapter 49: Requirements for Wildland-Urban Interface Fire Areas

Section 4902.1 of Chapter 49 is hereby amended to read as follows:

FIRE PROTECTION PLAN. A document prepared for a specific project or development proposed for construction and development in areas designated as Wildland-Urban Interface (WUI), and/or Moderate, High, or Very High Fire Hazard Severity Zone. It describes ways to minimize and mitigate potential for loss from wildfire exposure.

WILDLAND-URBAN INTERFACE FIRE AREA. A geographical area identified by the City of Mill Valley as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code, Sections 4201 through 4204, and Government Code, Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant

risk from wildfires, as designated on the map titled Wildland-Urban Interface Fire Area, dated October 20, 2010, on file in Mill Valley City Hall.

Section 4903.2.1.1 of Chapter 49 is amended to read as follows:

Section 4903.2.1.1 Preliminary fire protection plan. When a preliminary fire protection plan is submitted, it shall include, at a minimum, the following:

1. Total size of the project.
2. Information on the adjoining properties on all sides, including current land uses, and if known, existing structures and densities, planned construction, natural vegetation, environmental restoration plans, roads and parks.
3. A map with all project boundary lines, property lines, slope contour lines, proposed structure foundation footprints, and proposed roads and driveways. The map shall identify project fuel modification zones and method of identifying the fuel modification zone boundaries.
4. The map shall include all existing emergency water supplies.

Section 4903.2.1.2 of Chapter 49 is amended to include the following:

The final fire protection plan shall include items listed in Section 4903.2.1.1 and the following:

1. A map identifying all proposed plants in the fuel modification zones with a legend that includes a symbol for each proposed plant species. The plan shall include specific information on each species proposed, including but not limited to:
 - a. The plant life-form;
 - b. The scientific and common name; and
 - c. The expected height and width for mature growth.
2. Identification of irrigated and non-irrigated zones.
3. Requirements for vegetation reduction around emergency access and evacuation routes.
4. Identification of points of access for equipment and personnel to maintain vegetation in common areas.
5. Legally binding statements regarding community responsibility for maintenance of fuel modification zones.
6. Legally binding statements to be included in covenants, conditions and restrictions regarding property owner responsibilities for vegetation maintenance.
7. Identification of the location of fire protection systems or equipment.
8. Identification of any power sources, meters, and shut downs.

Section 4906.2 of Chapter 49 is hereby amended to read as follows:

Section 4906.2 Application. Buildings and structures located in any Fire Hazard Severity Zone or any Wildland-Urban Interface (WUI) Fire Area designated by the

enforcing agency shall maintain the required hazardous vegetation and fuel management per Sections 4906.3 through 4906.5.3

Sections 4906.3 is hereby amended to read as follows:

Section 4906.3. Vegetation Management Plan. A Vegetation Management plan shall be required for new construction, substantial remodels, and landscape modifications including new plantings, modifications to existing plantings, and/or excavation.

Section 4906.3.1 of Chapter 49 is deleted in its entirety.

Section 4906.3.2 of Chapter 49 is hereby added to read as follows:

Section 4906.3.2 Cost. The cost of VMP preparation and review shall be the responsibility of the applicant.

Section 4906.4.2.1 of Chapter 49 is amended to read as follows:

Section 4906.4.2.1 Tree Planting. New trees classified as fire-resistant vegetation shall be permitted provided the tree is planted and maintained so that the tree's drip line at maturity is a minimum 5 feet (9144 mm) from any combustible structure.

Section 4907.2 of Chapter 49 is hereby added to read as follows:

Section 4907.2 Application. Buildings and structures located in any Fire Hazard Severity Zone or any Wildland-Urban Interface (WUI) Fire Area designated by the enforcing agency shall maintain the required hazardous vegetation and fuel management:

Section 4907.4 is hereby added to Chapter 49 and shall read as follows:

Section 4907.4 Fire Hazard Reduction. Any person who owns, leases, controls or maintains any building or structure, and/or lands within specific Wildland-Urban Interface Areas of the jurisdiction of the City of Mill Valley shall comply with the following:

1. Cut and remove all pyrophytic combustible vegetation and ground coverings within 10 feet of property lines and driveways and within 100 feet of structures, up to 200 feet (but not beyond the property line) when topographic or pyrophytic vegetative types necessitate removal as determined by the Fire Chief or his/her designee. After removal of pyrophytic combustible vegetation, the area shall be maintained free of such vegetation. "Pyrophytic combustible vegetation" means vegetation that is highly flammable and endangers public safety by creating a fire hazard, including but not limited to seasonal and recurrent weeds, stubble, brush, dry leaves, and other hazardous vegetation such as but not limited to Coyote brush, Chaparral, Chamise, Manzanita, Rosemary, Tan Oak, Yew and Coastal Sagebrush.

2. Commencing May 1, 2021 (except as provided in section 9 below), remove of all the following from the entirety of the parcel and maintain the property free of such vegetation:

Common Name	Genus	Species
Acacia	Acacia	All species & varieties
Bamboo	All Genera	All species & varieties
Arborvitae	Thuja	All species & varieties
Italian Cypress	Cupressus	sempervirens
Junipers	Juniperus	All species & varieties
French Broom	Genista	monspessulana
Portugese Broom	Cytisus	striatus
Scotch Broom	Cytisus	scoparius
Spanish Broom	Spartium	junceum & all varieties
Gorse	Ulex	europaea

3. Owners of property within the Wildland-Urban Interface Area are encouraged to voluntarily clear and create hardscape within the first 3 feet surrounding any residential or commercial structure. A deck or patio is considered to be a part of the structure. Hardscape may consist of gravel, concrete, brick, pavers, decomposed granite, and like materials, or bare ground. Organic mulches derived from plant materials such as pine needles, pine bark nuggets, wood chips, or shredded redwood or cedar bark, or from ground or shredded rubber, should not be within the 3 foot hardscape area. Succulent plants are acceptable in the 3 foot hardscape area. This hardscape area should be maintained clear of vegetation and organic material, other than succulent plants.
4. Remove piles of accumulated dead vegetation on the property.
5. Cut and remove tree limbs that overhang and are within 10 vertical feet of wood decks and roofs.
6. Remove that portion of any tree which extends within 10 feet of any chimney or stovepipe.
7. Clean any leaves and needles from roof and gutters.
8. Raise the crowns of all trees by cutting and removing growth less than 3-inches in diameter, from the ground up to a minimum height of 10 feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third of the tree's total height.
9. Ladder fuels shall be removed within 30 feet of the structure.

10. When required by the Fire Code Official, cut and remove trees that are six inches of diameter or less at breast height, or four feet, six inches above ground, to achieve canopy separation within 30 feet of the structure.
11. Vegetation clearance requirements for new construction and substantial remodels in Wildland-Urban Interface Areas shall be in accordance with the 2006 International Wildland-Urban Interface Code, as amended by the City of Mill Valley. Notwithstanding anything to the contrary herein, commencing on the effective date of this ordinance new construction and substantial remodels shall also comply with the vegetation removal requirements in section 2 above.
12. Removal of trees shall comply with the requirements of Chapter 20.67 of the Mill Valley Municipal Code.

Exception 1: When approved by the Fire Code Official, single specimens of trees (including but not limited redwood trees and other heritage trees) or other vegetation that are well-pruned and maintained so as to effectively manage fuels and do not form a means of rapidly transmitting fire from the native growth to any structure.

Exception 2: When approved by the Fire Code Official, grass and other vegetation located more than 30 feet from buildings or structures and less than 18 inches in height above the ground need not be removed, where necessary to stabilize soil, prevent erosion, or otherwise protect against landslides or slope failures. Grasses shall be cut and maintained at a height of 3 inches or shorter.

Exception 3: Where necessary to mitigate potential impacts to special status species, including but not limited to nesting birds, the Fire Code Official may approve deferred removal of trees or vegetation. Where the removal of multiple trees or significant amounts of vegetation is proposed, the Fire Chief may require a property owner to hire a qualified biologist to conduct a species survey and prepare a mitigation plan.”

Section 4907.5 is hereby added to Chapter 49 and shall read as follows:

Section 4907.5 Fire Hazard Reduction from Roadways. The Fire Code Official is authorized to cause areas within 10 feet (3048 cm) on each side of portions of highways, fire apparatus access roads (improved or unimproved), and driveways (improved or unimproved), which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. Corrective action, if necessary, shall be the same as the actions required in Section 4907.4. The Fire Code Official is authorized to enter upon private property to do so in accordance with Section 8.04.120 of the Mill Valley Municipal Code.

Exception: When approved by the Fire Code Official, single specimens of trees,

ornamental shrubbery or similar plants, or plants used as ground covers may remain, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

Section 4911 is hereby added to Chapter 49 and shall read as follows:

SECTION 4911 NUISANCE

Section 4911 Nuisance. Failure to comply with the requirements of Section 4907.4 shall be deemed a public nuisance. The Fire Chief is hereby authorized to require the abatement of any nuisance condition described in Section 4907.3 or Section 4907.4. Abatement shall be accomplished in accordance with Title 8 of the Mill Valley Municipal Code.

CFC Chapter 56: Explosives and Fireworks

Section 5601.1.3 of Chapter 56 is hereby amended by deleting Exceptions 1, 2, and 4.

Section 5608.1.2 is hereby added to Chapter 56 and shall read as follows:

Section 5608.1.2 Permit required. A permit shall be obtained from the Fire Code Official in accordance with Section 105.6 prior to the performance of any firework display. An application for such permit shall be made in writing no less than twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the Fire Code Official or authorized designee pursuant to this Chapter and Title 19, Chapter 6, Article 3 (Licenses) of the California Code of Regulations. Any permit for a fireworks display may be suspended or revoked at any time by the Fire Code Official or authorized designee.

Section 5608.2 is hereby added to Chapter 56 and shall read as follows:

Section 5608.2 Limitations. To possess, store, offer or expose for sale, sell at retail, gift or give away, use, explode, discharge, or in any manner dispose of fireworks is prohibited within the limits of the City of Mill Valley.

Exception: Firework displays authorized pursuant to Section 5608.1 for which a permit has been issued.

CFC Chapter 80: Referenced Standards

Chapter 80 is hereby amended by revising Section 29.4.1 within NFPA 13-22: Standard for the Installation of Sprinkler Systems as amended, to read as follows:

29.4.1 The installing contractor shall identify a hydraulically designed sprinkler system with permanently raised, stamped or etched marked weatherproof metal or rigid plastic sign secured with corrosion resistant wire, chain, or other approved means. Such signs

shall be placed at the alarm valve, dry pipe valve, preaction valve, or deluge valve supplying the corresponding hydraulically designed area. Pipe schedule systems shall be provided with a sign indicating that the system was designed and installed as a pipe schedule system and the hazard classification(s) included in the design.

CFC Appendix B: Fire-Flow Requirements for Buildings

Table B105.1(1) and Table B105.2 in Appendix B are hereby amended to read as follows:

TABLE B105.1(1)
REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3
AND R-4 BUILDINGS AND TOWNHOUSES

FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE- FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,500	2
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at The required fire-flow rate
0-3,600	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	1,000	1
3,601 and greater	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	½ value in Table B105.1(2) ^a	Duration in Table B105.1(2) at The required fire-flow rate

For SI: 1 square foot = 0.0929 m², 1 gallon per minute = 3.785 L/m.

a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND
TOWNHOUSES

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE- FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the	50% of the value in	Duration in Table B105.1(2) at the

<i>California Fire Code</i>	Table B105.1(2) ^a	reduced flow rate
-----------------------------	------------------------------	-------------------

For SI: 1 gallon per minute = 3.785 L/m.

a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

CFC Appendix C: Fire Hydrant Locations and Distribution

Section C103.1 of Appendix C is amended to read as follows:

Section C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the *California Fire Code* shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be approved by the Fire Code Official.

Sections C103.2 and C103.3 of Appendix C are hereby deleted.

International Wildland-Urban Interface Code Appendix A

Section A104.7.2 of Appendix A of the International Wildland-Urban Interface Code is amended to read as follows:

Section A104.7.2 Permits. The Fire Code Official is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the Fire Code Official.

Section A104.11 of Appendix A of the International Wildland-Urban Interface Code is hereby added and shall read as follows:

Section A104.11 Tracer Bullets, Tracer Charges, Rockets and Model Aircraft. Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across hazardous fire areas. Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause a fire shall not be fired or projected into or across hazardous fire areas.

Section A104.12 of Appendix A of the International Wildland-Urban Interface Code is hereby added and shall read as follows:

Section A104.12 Explosives and Blasting. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within hazardous fire areas except by permit from the Fire Code Official.

Section A104.13 of Appendix A of the International Wildland-Urban Interface Code is hereby added and shall read as follows:

Section A104.13 **APIARIES**. Lighted or smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas except by permit from the Fire Code Official.”

SECTION 2: Section 14.05.020 of Chapter 14.05 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.05.020: Building and Construction Codes – Adoption by reference.

Except as hereinafter provided, the following parts of Title 24, “California Building Standards Code,” 2022 edition, of the California Code of Regulations and associated appendices and annexes, are hereby adopted by reference and incorporated as though fully set forth in this Section: Part 1, California Administrative Code; Part 2, California Building Code (CBC); Part 2.5, California Residential Code (CRC); Part 6, California Energy Code; Part 8, California Historical Building Code; Part 10, California Existing Building Code; and Part 12, California Referenced Standards Code.

This code, together with amendments, additions, and deletions set forth in Chapter 14.05, shall constitute the Building and Construction Code of the City of Mill Valley and may be cited as such.”

SECTION 3: Section 14.05.021 of Chapter 14.05 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.05.021: Amendments to California Building and Residential Codes.

Notwithstanding the provisions of Section 14.05.020 of this Code, the following sections and appendices of the 2022 CBC and CRC are adopted and amended as set forth below.

A. **Administration, Organization and Enforcement.** The administration, organization and enforcement of the Building Code of the City of Mill Valley is set forth in Sections 14.05.030 through 14.05.040 of the Mill Valley Municipal Code, as modified by the following sections of the 2022 CBC Chapter 1, Division II and the 2022 CRC Chapter 1, Division II. The following sections are the only sections being adopted by reference from Chapter 1, Division II of the 2022 CBC and 2022 CRC:

1. Duties and Powers of the Building Official. CBC: 104.9.1, 104.11; CRC: R104.9.1, R104.11.
2. Permits. Sections: CBC: 105.2; CRC: R105.2.
3. Construction Documents. CBC: 107.3.4.1, 107.4.
4. Temporary Structures and Uses. CBC: 108; CRC: R107.

B. **Board of Appeals.** The CBC is hereby amended to provide that all references to a “Board of Appeals” or “board” shall be deemed for purposes of the Building Code of the City of Mill Valley to be references to the City Council of Mill Valley.

C. **Permits.** Subsection 1 under “Building” in CBC Section 105.2 and in CRC Section 105.2 is hereby amended to read as follows:

1. One-story detached accessory structures used as tool and storage sheds, children’s playhouses, or similar uses, provided that (a) the floor area does not exceed 120 square feet; (b) the building contains no plumbing, electrical or heating installations; and (c) the building is not located in an interior or exterior setback area.

D. **Approval of Fire Marshal Required.** In the case of a proposed occupancy and use other than an R-3 or U occupancy, before issuing a certificate of occupancy, the Building Official shall submit the application to the Fire Marshal, who shall examine the same and indicate approval or disapproval thereof based on applicable sections of the California Fire Code and other related statutes and ordinances. In such case, no certificate of occupancy shall be issued, except for an R-3 or U Occupancy, without the approval of the Fire Marshal or the Fire Marshal’s designated representative.

E. **Definitions.** Section 202 of Chapter 2 of the CBC is hereby amended by revising the definition for “Kitchen or Kitchenette,” which shall read as follows:

KITCHEN OR KITCHENETTE. Any room or portion thereof containing facilities designed or used for the regular storage and preparation of food. Such facilities may include, without limitation, stoves, ranges, ovens, or hot plates; refrigeration equipment; dish washing equipment; and built-in dish or utensil storage spaces.

F. **Address Identification.** Section 502.1 in Chapter 5 of the CBC is hereby amended by adding the following requirement to the end of the paragraph therein: Approved address numbers shall be internally or externally illuminated.

G. **Soils and Foundations.** CBC Section 1805.1.2 is hereby amended by adding a new subsection 1805.1.2.2, to read as follows:

1805.1.2.2 Under-floor Drainage. The underfloor grade beneath the floor system of a building shall be graded to a low point so as to provide positive drainage to the exterior in the event of water intrusion. If the exterior grade is higher than the grade beneath the floor system, a positive drainage system or sump shall be installed subject to approval of the Building Official.

H. **Moved Buildings.** No permit for the moving of a building or structure shall be granted unless the applicant meets the following requirements:

1. A performance bond in favor of the City, of not less than \$1,000.00 nor more than \$100,000.00, as the Fire Marshal or Building Official may determine, shall be conditioned to require the applicant to comply strictly with all conditions and

provisions of this chapter, and of any provision of the Mill Valley Municipal Code relating to the moving of buildings or structures, and of any order, rule or regulation which may be hereafter passed or adopted by the City Council. The applicant also shall be required to pay any and all damages to any fence, hedge, tree, pavement, sidewalk, street, curb, gas, sewer or water pipe, electric wire or pole supporting the same, or to any public or private property that may result from moving the building or structure.

2. The Director of Planning and Building and the Building Official shall inspect the structure prior to being moved to determine that said structure is suitable for the intended use and structurally adequate.

3. The applicant shall indemnify, defend and hold harmless the City and its elective officers, agents and employees against all liabilities, claims, actions, judgments, cost or any expense which may for any reason arise out of the issuance of said permit or moving of such buildings or structures. An undertaking may be required for this purpose.

I. **Temporary Structures.** Section 108.1.1 is added to CBC Chapter 1 and Section R107.1.1 is added to CRC Chapter 1, to read as follows:

108.1.1. Special Permit. Temporary structures such as sheds, construction trailers, canopies or fences used for the protection of the public and/or in conjunction with construction work may be erected by special permit from the Fire Marshal or Building Official for a limited period of time. Such buildings or structures need not comply with the type of construction or fire-resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

R107.1.1. Special Permit. Temporary structures such as sheds, construction trailers, canopies or fences used for the protection of the public and/or in conjunction with construction work may be erected by special permit from the Fire Marshal or Building Official for a limited period of time. Such buildings or structures need not comply with the type of construction or fire-resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

J. **Roof Assemblies - General.** Section 1505.1 of Chapter 15 of the CBC is amended to read as follows:

1505.1 General. Roof assemblies shall be divided into classes A, B, and C. Class A, B, and C roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D2898. The minimum roof covering on the entire roof covering of every existing structure where more than 50 percent of the total roof area is altered,

repaired, replaced, or remodeled within any one-year period and the entire roof covering of every new structure shall be a fire-retardant roof covering that is at least Class A.

K. Materials and Construction Methods for Exterior Wildfire Exposure. Sections 701A.1 and 701A.3 of Chapter 7A of the CBC, and Sections R337.1.1 and R337.1.3 of the CRC, are hereby amended to read as follows:

701A.1 Scope. This chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings, additions, repairs, re-roofs, and exterior alterations located within a Wildland Urban Interface Fire Areas as defined in Section 702A .

701A.3 Application. New buildings, additions, repairs, re-roofs and exterior alterations to buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

1. Detached trellises, patios, carports, gazebos, and similar buildings open on all sides when located at least 10 feet from an applicable building.
2. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
3. Buildings of an accessory character classified as Group U occupancy of any size located least 50 feet an applicable building.
4. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code, when located at least 50 feet from an applicable building.

For the purposes of this section and Section 710A, applicable building includes all buildings that have residential, commercial, educational, institutional, or similar occupancy type use.

R337.1.1 Scope. This chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings, additions, repairs, re-roofs, and exterior alterations located within a Wildland Urban Interface Fire Areas as defined in Section R337.2.

R337.1.3 Application. New buildings, additions, repairs, re-roofs and exterior alterations to buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

1. Detached trellises, patios, carports, gazebos, and similar buildings open on all sides when located at least 10 feet from an applicable building.

2. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
3. Buildings of an accessory character classified as Group U occupancy of any size located least 50 feet an applicable building.
4. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code, when located at least 50 feet from an applicable building.

For the purposes of this section and Section 337.10, applicable building includes all buildings that have residential, commercial, educational, institutional, or similar occupancy type use.”

SECTION 4: Section 14.05.022 of Chapter 14.05 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.05.022 Adoption of California Electrical Code.

Except as hereinafter provided, Title 24, Part 3 of the California Code of Regulations, known as the 2022 California Electrical Code (CEC), incorporating the 2021 edition of the National Electrical Code, published by the National Fire Protection Association, and the annexes thereof, is hereby adopted by reference and incorporated as though fully set forth in this Section. This code shall constitute the Electrical Code of the City of Mill Valley, and may be cited as such.

- A. CEC Section 89.108.8, inclusive of sections 89.108.8.1 through 89.108.8.3, is hereby deleted and replaced as follows:

All references to a “Board of Appeals” or “board” shall be deemed for purposes of the Electrical Code of the City of Mill Valley to be references to the City Council of Mill Valley. Appeals of the Electrical Code of the City of Mill Valley shall be consistent with the same processes found in 14.05.030 of the Mill Valley Municipal Code.”

SECTION 5: Section 14.05.024 of Chapter 14.05 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.05.024 Adoption of California Mechanical Code.

Except as hereinafter provided, Title 24, Part 4 of the California Code of Regulations, known as the 2022 California Mechanical Code (CMC), incorporating the 2021 edition of the Uniform Mechanical Code including the appendix thereof, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference and incorporated as though fully set forth in this Section. This code shall constitute the Mechanical Code of the City of Mill Valley, and may be cited as such.

- A. CMC section 107.0, inclusive of section 107.1 and 107.2, is hereby deleted and replaced as follows:

All references to a “Board of Appeals” or “board” shall be deemed for purposes of the Mechanical Code of the City of Mill Valley to be references to the City Council of Mill Valley. Appeals of the Mechanical Code of the City of Mill Valley shall be consistent with the same processes found in 14.05.030 of the Mill Valley Municipal Code.”

SECTION 6: Section 14.05.026 of Chapter 14.05 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.05.026 California Plumbing Code, 2019 Edition, adopted by reference.

Except as hereinafter provided, Title 24, Part 5 of the California Code of Regulations, known as the 2022 California Plumbing Code (CPC), incorporating the 2021 edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, and the appendices thereof, is hereby adopted by reference and incorporated as though fully set forth in this Section. This code shall constitute the Plumbing Code of the City of Mill Valley, and may be cited as such.

- A. CPC section 107.0, inclusive of section 107.1 and 107.2, is hereby deleted and replaced as follows:

All references to a “Board of Appeals” or “board” shall be deemed for purposes of the Mechanical Code of the City of Mill Valley to be references to the City Council of Mill Valley. Appeals of the Plumbing Code of the City of Mill Valley shall be consistent with the same processes found in 14.05.030 of the Mill Valley Municipal Code.”

SECTION 7: Section 14.48.010 of Chapter 14.48 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.48.010 California Green Building Standards Code adopted by reference.

The City hereby adopts by reference the 2022 edition of the California Green Building Standards Code, Title 24, Part 11 of the California Code of Regulations (“CALGreen”), including the following Appendix chapters and together with those amendments, additions, and deletions set forth in this Chapter 14.48 of the Mill Valley Municipal Code:

- A. Appendix Chapter A4 - Residential Voluntary Measures (Tier 1 levels for new construction, as defined in Section 14.48.030)
- B. Appendix Chapter A5 - Nonresidential Voluntary Measures (Tier 1 levels for new construction, as defined in Section 14.48.030)

This code, together with amendments, additions, and deletions set forth in Chapter 14.48, shall constitute the Green Building Standards of the City of Mill Valley and may be cited as such.”

SECTION 8: Section 14.48.020 of Chapter 14.48 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.48.020 Local amendments to the California Green Building Standards Code.

The 2022 California Green Building Standards Code (“CALGreen”) adopted herein by reference is hereby amended by the following additions, deletions, and amendments, together with such changes made by Sections 14.48.030 through 14.48.070:

Section 202 of Chapter 2 is hereby amended by revising the definitions of Electric Vehicle Charging Station and of Newly Constructed (or New Construction) to read as follows:

ELECTRIC VEHICLE CHARGING STATION (EVCS). One or more electric vehicle charging spaces served by electric vehicle charger(s) or other charging equipment allowing charging of electric vehicles. For purposes of determining compliance with accessibility requirements, when the permitted length of time a vehicle may occupy an electric vehicle charging station differs from the permitted duration of stay in publicly accessible parking spaces in the same parking area, electric vehicle charging stations are not considered parking spaces. When the permitted duration of stay in a space served by electric vehicle charger(s) is the same as other publicly accessible parking spaces in the same parking area, EVCS may be considered parking spaces. The EVCS need not be reserved exclusively for electric vehicle charging.

NEWLY CONSTRUCTED (or NEW CONSTRUCTION). A newly constructed building (or new construction) includes the production of new or replacement building(s) and major remodels.

Section 301.1 of Chapter 3 is hereby amended by replacing the first sentence with the following:

301.1 Scope. Buildings shall be designed to comply with the applicable requirements of the Mill Valley Municipal Code beginning at Chapter 14.48.010, and shall also include the green building measures specified as mandatory in the application checklists contained in this code.

Section 301.1.1 of Chapter 3 is hereby amended by replacing the first sentence with the following:

301.1.1 Additions and alterations. The mandatory provisions of Chapter 4 shall be applied to additions and alterations of existing residential buildings, in accordance with applicable requirements of Chapter 14.48 of the Mill Valley Municipal Code.

Section 301.3 of Chapter 3 is hereby amended by replacing the first sentence with the following:

301.3 Nonresidential additions and alterations. The provisions of individual sections of Chapter 5 apply to newly constructed buildings and building additions and alterations (for occupancies within the authority of California Building Standards Commission).

Section 4.106.4.2 of Chapter 4 is hereby amended to read in its entirety as follows:

Section 4.106.4.2 New multifamily dwellings, Hotel and Motels and New Residential Parking Facilities. If residential parking is available, the number of spaces designated for the project type as outlined in Table 1 of Section 14.48.040 of the Mill Valley Municipal Code, provided for all types of parking facilities, shall be electric vehicle charging spaces (EV spaces) capable of supporting future EVSE. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

Section 5.106.5.3 of Chapter 5 is hereby amended by replacing the first sentence with the following:

Section 5.106.5.3 Electric vehicle (EV) Charging. Construction shall comply with Section 5.106.5.3.1, using the space requirements designated for the project type as outlined in Table 1 of Section 14.48.040 of the Mill Valley Municipal Code, to facilitate future installation of electric vehicle supply equipment (EVSE).

Section A4.106.8.2.1 of Appendix A4 is hereby amended by revising “Tier 1” to read as follows:

The number of spaces designated for the project type as outlined in Table 1 of Section 14.48.040 of the Mill Valley Municipal Code, provided for all types of parking facilities, but in no case less than one, shall be electric vehicle charging spaces (EV spaces) capable of supporting future EVSE. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.”

SECTION 9: Section 14.48.040 of Chapter 14.48 of the Mill Valley Municipal Code is hereby amended to read as follows:

“14.48.040 Green building requirements by project type.

The Mill Valley Municipal Code defines compliance thresholds for different projects that are covered by this chapter. These standards are outlined below in Table 1.

Table 1: Requirements by Project Type and Size			
Project Type and Size	Green Building Requirements	Additional Energy Efficiency Requirements	Electric Vehicle Requirements

Single and Two-Family New Construction	CALGreen Tier 1, including Section A4.2 (Energy Efficiency)	“All-electric”, meeting the requirements outlined for the project in the 2019 Building Energy Efficiency Standards <u>OR</u> “Limited mixed-fuel”, prewired for future induction cooking, with an Efficiency EDR Compliance Margin of 3, demonstrated on Title 24 energy reports <u>OR</u> “Mixed-fuel”, prewired for future induction cooking, with an Efficiency EDR Compliance Margin of 3 and a Total EDR Compliance Margin of 10, demonstrated on Title 24 energy reports See Section 14.48.030 for applicable definitions of “All-electric”, “Limited mixed-fuel”, and “Mixed-fuel”	Comply with CALGreen Measure A4.106.8.1
Single and Two-Family Additions and Alterations less than 1,200 square feet	CALGreen Mandatory	Meet the standards outlined for the project in the 2022 Building Energy Efficiency Standards	If the project is upgrading the main electrical service panel, comply with CALGreen Measure A4.106.8.1
Single and Two-Family Additions and Alterations 1,200 square feet or greater	CALGreen Tier 1 less Section A4.2 (Energy Efficiency)	Meet the standards outlined for the project in the 2022 Building Energy Efficiency Standards	

Multifamily New Construction 3 stories or less	CALGreen Tier 1, including Section A4.2 (Energy Efficiency)	“All-electric”, meeting the requirements outlined for the project in the 2022 Building Energy Efficiency Standards <u>OR</u> “Limited mixed-fuel”, prewired for future induction cooking, with an Efficiency EDR Compliance Margin of 0.5, demonstrated on Title 24 energy reports <u>OR</u> “Mixed-fuel”, prewired for future induction cooking, with an Efficiency EDR Compliance Margin of 0.5 and a Total EDR Compliance Margin of 10, demonstrated on Title 24 energy reports. See Section 14.48.030 for applicable definitions of “All-electric”, “Limited mixed-fuel”, and “Mixed-fuel”	Build one electric vehicle charging space ¹ per dwelling unit, as defined in Chapter 17.04.026 of Mill Valley Municipal Code (but not including an accessory dwelling unit), complying with technical requirements referenced in A4.106.8.2.1
Multifamily New Construction 4 stories or greater		“All-electric”, meeting the requirements outlined for the project in the 2022 Building Energy Efficiency Standards <u>OR</u> “Limited mixed-fuel”, prewired for future induction cooking, with a compliance margin of 5%, demonstrated on Title 24 energy reports <u>OR</u> “Mixed-fuel”, prewired for future induction cooking, with a compliance margin of 10%, demonstrated on Title 24 energy reports See Section 14.48.030 for applicable definitions of “All-electric”, “Limited mixed-fuel”, and “Mixed-fuel”	
Nonresidential Additions and Alterations less than 3,000 square feet	CALGreen Tier 1, less Section A4.2 (Energy Efficiency)	Meet the standards outlined for the project in the 2022 Building Energy Efficiency Standards	If the service panel is modified, add designated electrical capacity for 20%

Nonresidential Additions and Alterations 3,000 square feet or greater	Meet the standards outlined for the project in the 2022 Building Energy Efficiency Standards	of onsite parking spaces to be EV Capable ¹ . When parking lot surface is modified (paving material and curbing removed), add conduit to all exposed parking spaces. Where existing electrical service will not be upgraded in the existing project scope, designate capacity for parking spaces to the maximum extent that does not require an upgrade to existing electrical service.
New construction of hotels or motels		

¹ Electrical service capacity shall be able to deliver a minimum 40 amperes at 208 or 240 volts multiplied by 20% of the total number of EV Spaces. The panelboard(s) shall have sufficient space to install a minimum of one 40-ampere dedicated branch circuit and overcurrent protective device per EV Space up to a minimum of 20% of the total number of EV Spaces. The circuits and overcurrent protective devices shall remain reserved exclusively for EV charging. An EV Load management system may be necessary in order to provide EV charging at more than 20% of EV Spaces.”

SECTION 10: The City Council of the City of Mill Valley finds that adoption of this ordinance is exempt from the California Environmental Quality Act (“CEQA”) under California Code of Regulations, Title 14, § 15061(b)(3), as it can be seen with certainty that there is no possibility that the adoption of this ordinance may have a significant effect on the environment.

SECTION 11: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Mill Valley hereby declares that it would have adopted this ordinance and each section, subsection, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases, or portions thereof may be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared severable.

SECTION 12: Effective Date and Publication. This ordinance shall become at 12:01 a.m. on January 1, 2023. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published or posted in the manner prescribed by law.

SECTION 13: The City Clerk is hereby directed to cause a copy of this ordinance to be filed with the California Building Standards Commission as required by Health and Safety Code Section 17958.7.

INTRODUCED at a regular meeting of the City Council of the City of Mill Valley on the 17th day of **October 2022**, and

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Mill Valley on the 5th day of **December 2022**, by the following vote:

AYES: Councilmembers: Perrey, Burke, Carmel, Wickham.

NOES: None.

ABSENT: None.

ABSTAIN: None.


Jim Wickham, Mayor

ATTEST:


Hannah Politzer, City Clerk/Management Analyst III