

TOWN OF WOODSIDE

Report to Town Council

Agenda Item 9

From: Kevin Bryant, Town Manager

December 13, 2016

SUBJECT: REVIEW AND COMMENT ON WOODSIDE FIRE PROTECTION DISTRICT DRAFT ORDINANCE NO. 11, WHICH WOULD ADOPT BY REFERENCE THE 2015 INTERNATIONAL FIRE CODE WITH THE 2016 CALIFORNIA AMENDMENTS AND WOODSIDE FIRE PROTECTION DISTRICT BOARD DETERMINED AMENDMENTS AND ADDITIONS

RECOMMENDATION

It is recommended that the Town Council review the proposed Woodside Fire Protection District Draft Ordinance No. 11, take any public comment, and direct staff to forward any comments to the WFPD Board of Directors.

BACKGROUND

Properties within the Town of Woodside receive fire suppression and prevention services through the Woodside Fire Protection District (WFPD), an independent special district that derives its powers and authority in part from the Fire Protection District Law, as delineated in the California Health and Safety Code. Section 13869.7 of the Health and Safety Code provides that "a district may adopt a fire prevention code by reference." The section also provides for the process by which a fire district board of directors is to transmit its proposed ordinance and any findings to the cities or towns that are within its geographical boundaries and to which the ordinance shall apply. Specifically, the Health and Safety Code provides the following:

- The draft ordinance and findings are to be transmitted to impacted cities not less than thirty days prior to noticing the ordinance for public hearing.
- The cities may provide the district with its written comments and they are to become a part of the fire district's public hearing record.
- Once the fire district board has adopted the ordinance, it is to be transmitted to the impacted cities and the legislative body of each city may ratify, modify, or deny the adopted ordinance and transmit its determination to the fire district within fifteen days of the determination. Any modification or denial of the adopted ordinance shall include a written statement describing the reasons for any modifications or denial.
- No ordinance adopted by the fire board shall be effective until it has been ratified by the city where it shall apply.
- Any city that ratifies an ordinance shall delegate the enforcement of the ordinance to either the chief of the fire

protection district or the chief building official of the city, or their authorized representatives.

The code is silent as to what occurs should a city deny an ordinance that has been adopted by a fire board, but the implication is that whatever Fire Code was in effect prior to the board's adoption of the ordinance remains in effect.

DISCUSSION

On December 5, 2016, the WFPD Board of Directors introduced Ordinance No. 11 (**Attachment 1**), which would adopt by reference the 2015 International Fire Code with the 2016 California amendments. The draft ordinance has been transmitted to the Town of Woodside for review and comment before the Board of Directors considers adoption of the ordinance on January 30, 2017.

The Fire Marshal will be at the December 13th Town Council meeting to answer questions.

Draft WFPD Ordinance No. 11 makes modifications to Ordinance No. 10, which was adopted by the District in 2014 and subsequently ratified by the Town. Proposed changes from Ordinance No. 10 have been highlighted in the draft ordinance in red. These include:

- Adding definitions for "driveway" and "gross floor area";
- Under Section 6, General Fire Safety Precautions, adding a requirement to mow vacant parcels;
- Adding a new Section 7, Fire Apparatus Access Roads, to incorporate WFPD standards into the ordinance;
- Adding a new Section 8, Automatic Fire Sprinklers, to define when automatic fire sprinkler systems will be required; and
- Including the WFPD fire flow standards for buildings in Section 12.

Of particular note is the inclusion of triggers for automatic fire sprinklers. The intent of the Fire District is to defer to the Towns' own triggers that are included in the Towns' Building Regulation ordinances for changes and additions. This is reflected in items 1 and 2 of Section 903.2A of the WFPD ordinance:

1. As determined by the Building Official, per the ordinance of their specific jurisdiction, all existing one and two family dwellings, buildings and or structures where, additions that increase the existing gross floor area by more than 50%, or repairs that exceed more than 50% of an existing building or increase the number of floors and within the unincorporated San Mateo County SRA areas which trigger a Building Safety Score less than 17 shall install an automatic fire sprinkler system.

2. Any combination of alterations and/or repairs to more than 50% of the existing gross floor area or within the Unincorporated San Mateo County SRA areas which trigger a Building Safety Score less than 17 within a two-year timeperiod, based on the date of final fire inspection, shall require the entire existing building to be installed with an automatic fire sprinkler system.

In addition, WFPD Ordinance No. 11 includes the following triggers for automatic fire sprinkler systems:

3. Any addition, alteration or repair within a building that contains an existing automatic fire sprinkler system shall have the automatic fire sprinkler system extended/modified to the area of the proposed work.

4. Any change in use or occupancy creating a more hazardous fire/life safety condition as determined by the Fire Marshal requires that an automatic fire sprinklers system shall be installed in the space where the change in use or occupancy is proposed.

5. Any change of use from a non-habitable to a habitable basement requires the installation of an automatic fire sprinkler system in the basement.

CONCLUSION

The Woodside Fire Protection District Board of Directors has introduced Ordinance No. 11, which would adopt by reference the 2015 International Fire Code with the 2016 California amendments. It is appropriate for the Town Council to prepare and submit any comments to the District's Board of Directors before they adopt the ordinance.

ATTACHMENT

1. WFPD Draft Ordinance No. 11

**ORDINANCE NO. 11
BOARD OF DIRECTORS OF THE
WOODSIDE FIRE PROTECTION DISTRICT
COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

AN ORDINANCE ADOPTING BY REFERENCE, THE 2015 INTERNATIONAL, FIRE CODE WITH THE 2016 CALIFORNIA AMENDMENTS INCLUDING LOCAL AMENDMENTS AND STANDARDS AS SPECIFIED PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION WITHIN THE TERRITORY OF THE WOODSIDE FIRE PROTECTION DISTRICT, ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFORE AND DEFINING THEIR POWERS AND DUTIES.

WHEREAS, Health and Safety Code section 13869 provides that the Woodside Fire Protection District Board of Directors (“Board”) has the authority to adopt a fire prevention code by reference pursuant to applicable governmental code provisions.

WHEREAS, Chapter 56 of the California Fire Code pertains to fireworks and this Board finds that the Woodside Fire Protection District enacted Ordinance No. 3 in 1986, prohibiting the use and sale of fireworks within the entire territory of the Woodside Fire Protection District; and

WHEREAS, Chapter 56 of the California Fire Code pertains to storage of explosives and fireworks where the storage and use is permitted, and this Board finds that it is in the best interest of the District to specify and restrict where such storage and use be permitted in the District; and

WHEREAS, Section 108.1 of Chapter 1 of the California Fire Code pertains to the Board of Appeals and this Board hereby determines that the Board of Directors act as a Board of Appeals; and

WHEREAS, Chapter 61 of the California Fire Code does not specify where the storage, use, handling, or dispensing of liquid petroleum gas is permitted, and this Board finds that it is in the best interest of the District to specify where such uses should be permitted in the District; and

WHEREAS, Table B105.1(1) and B105.1(2) of Appendix B and Table B105.1 of Appendix BB of the California Fire Code provides specified fire flow requirements for buildings and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Table C102.1 of Appendix C of the California Fire Code provides specified fire hydrant locations and distribution and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Appendix D of the California Fire Code provides minimum specifications for access roads with a fire hydrant and maximum grade and this Board finds that said requirements are not practical due to the rural nature of the fire district; and

WHEREAS, Chapter 1 of the California Fire Code does not specifically authorize audio visual or other recording including photographs to assist with investigations of alleged violations of this Code or fire incidents and this Board finds that use of said technological assistance is in the best interest of the District; and

WHEREAS, Chapter 9 of the California Fire Code pertains to automatic fire sprinklers and where they are required, and this Board finds that it is in the best interest of the District to specify installations related to existing buildings and structures; and

WHEREAS, In accordance with section 102.9 of the California Fire Code for subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities, Woodside Fire Protection District finds it necessary to maintain a set of design and installation standards as deemed necessary for firefighter safety and suppression activities.

WHEREFORE, this Board does ordain as follows:

SECTION 1. TITLE.

This Ordinance shall be known as the “Fire Code” of the Woodside Fire Protection District and may be cited as such, and will be referred to in this ordinance as the “California Fire Code” or “this Code”.

SECTION 2. ADOPTION OF THE 2015 INTERNATIONAL FIRE CODE/2016 CALIFORNIA FIRE CODE & FIRE CODE STANDARDS.

It is hereby adopted by the Board of Directors for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2015 International Fire Code with the 2016 California Amendments Title 24 Part 9, and the whole thereof, including all Appendices and International Fire Code Standards except for Appendices A and J, as compiled, recommended and published by the International Code Council, save and accept only such portions thereof as are hereinafter expressly deleted, modified or amended by this ordinance; and including such new sections and paragraphs which are hereinafter added to and made a part of the Fire Code and of this ordinance, of which not less than two (2) copies have been and are now filed in the Office of the Fire Chief of the Woodside Fire Protection District and the same are hereby adopted and incorporated, by this reference, as fully as if set forth out at length herein, and from the date on which this ordinance shall take affect, the provisions of same shall be controlling within the Woodside Fire Protection District.

SECTION 3. DEFINITIONS.

- A. Wherever the word “**jurisdiction**” is used in the International/California

Fire Code & Fire Code Standards, it shall mean the Woodside Fire Protection District, except that wherever in the Code, “jurisdiction” is used in a context which implies the ability to exercise governmental powers which the District does not have but which powers are exercised within District’s territorial boundaries by another public agency, then in that context “jurisdiction” shall mean the particular public agency authorized to and exercising that governmental power.

- B. Whenever the words “**Fire Code Official**” are used they shall be held to mean “Fire Marshal.”
- C. Wherever the words “**Fire Code**” are used it shall mean International/California Fire Code & Fire Code Standards.
- D. Wherever the word “**Driveway**” is used it shall mean an access road from the public way to a structure that is used for public or private vehicular access, including fire and emergency apparatus or vehicles
- E. For calculating compliance within the Fire Code, **Floor Area, Gross** shall mean; The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vents shafts and courts without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area shall be the usable areas under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

SECTION 4. ESTABLISHMENT OF BUREAU OF FIRE PREVENTION AND DUTIES OF MEMBERS THEREOF.

A. The Fire Code shall be enforced by the Bureau of Fire Prevention in the Woodside Fire Protection District which is hereby established and which shall be operated under the supervision of the Chief of the Department.

B. The Chief of the Fire Department shall appoint an officer of the Fire Department as Chief of the Bureau of Fire Prevention. The title shall be Fire Marshal. The appointment shall continue during good behavior and satisfactory service, and they shall not be removed from office except for cause in accordance with the rules and regulations of the Woodside Fire Protection District.

C. The Fire Marshal may appoint such members of the fire department as inspectors as shall from time to time be necessary.

D. A report of the Bureau of Fire Prevention shall be made monthly or annually and transmitted to the Board of Directors. It shall contain such statistics as the Chief of the Department or the Board of Directors may wish to include therein. The Chief of the Fire Department shall recommend any amendments to the Code, which, in his judgment, shall be desirable.

SECTION 5. GENERAL CODE PROVISIONS.

Section 102 Amended 102.1A is added to read as follows:

Section 102.1A Applicability When alterations, additions or repairs exceed 50% of an existing building or structure, or has a Building Safety Score of less than 17, as determined by the Building Official having jurisdiction, such building or structure shall be made in its entirety to conform to the fire code requirements for new buildings or structures.

Within the Woodside Fire Protection District jurisdiction each of the Building Departments may use their specific dollar values, structural formulas and Building Safety Scores to complete the computation of existing and new square footages. The Fire District will accept the computations within the projects jurisdictional boundary. Verification must be attained by the Municipality's Building Official.

Under Section 104.1 of the California Fire Code, Section 104.1A and 104.2A will be added to read as follows:

Section 104.1A Design Standards Woodside Fire Protection District will maintain a set of design and installation standards that include but are not limited to: Address posting, Bridges, Emergency shut off placards, Turnarounds, Turnouts, Driveways, Knox installations, Solar PV installations, Fuel cells and Fire Sprinkler systems including those with tanks and pumps.

These standards are necessary for the Woodside Fire Protection District to provide a reasonable degree of fire and life safety for the community and firefighters within the jurisdictional boundaries of the Fire District and is hereby in accordance with section 102.9 of the California Fire Code: For subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities.

Section 104.2.A Review Construction Documents Woodside Fire Protection District shall review all applications and construction documents related to any type of driveway construction within its jurisdiction that have been submitted to any of the Building Departments.

Section 106.1A is added to read as follows:

Section 106.1A Inspection Authority The Fire Marshal or other designated representatives shall inspect, buildings and premises, including such other hazards or appliances for the purpose of ascertaining and causing to be corrected any conditions which would be deemed a fire hazard and reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire and life safety.

SECTION 6. GENERAL FIRE SAFETY PRECAUTIONS.

Section 307 Amended Section 307 of this code is deleted in its entirety and is replaced by the following section:

Section 307 General: Open burning is prohibited within the jurisdictional boundaries of the Woodside Fire Protection District. Open burning does not include approved exterior fireplaces with permanent spark arrestors or barbecues that are used in a safe manner, and used for cooking or warming purposes only. The Fire Marshal prohibits burning of trash or vegetation, except for fuel reduction purposes and dedicated campfires in County Parks by special permit only.

Exceptions: Gas Fire Pits inspected by the Fire Prevention Bureau.

Section 304.1.2 Amended Section 304.1.2A is added to read as follows:

Section 304.1.2.A Perimeter Property Line Clearance. Section 304.1.2.A Perimeter Property Line Clearance. Persons owning, controlling, or leasing structures and or property are required to remove, a minimum of 30 feet from the perimeter of the property line and 100 feet from any neighboring structure, specifically; flashy fuels consisting of dead weeds and dry annual grasses, as well as dead vegetative material and litter that is capable of being easily ignited and endangering property as determined by the Fire Marshal.

Section 304.1.2.B Section 304.1.2B is added to read as follows:

Section 304.1.2.B Weed Abatement. Due to heavy growth of fuels, unmaintained lots are a hazard to the surrounding properties and the community. Woodside Fire Protection District shall carry out weed abatement program activities throughout the territory of the Woodside Fire Protection District. **Vacant parcels shall be mowed in their entirety with the exception of conservation areas, marsh land, creek banks and a minimum of 50 feet from any riparian corridor, prior to July 1st of every year.**

Section 304.1.2.C Section 304.1.2.C is added to read as follows:

Section 304.1.2.C Re-inspection of Violation. Re-inspections of the same violation shall incur a hourly fee of \$90.00 for every hour of re-inspection after the 3rd inspection of the same violation, at the same location, within a one year period.

SECTION 7. FIRE APPARATUS ACCESS ROADS

Section 503.2.1 Amended Section 503.2.1 is deleted in its entirety and replaced by the following section.

Section 503.2.1 Dimensions: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, inclusive of all-weather surface shoulders, and a vertical clearance of not less than 13 feet 6 inches. Security gates shall be in accordance with section 503.6. Driveways for one and two dwellings shall have an unobstructed width of not less than 12 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. Shared driveways serving more than one property with habitable structures shall have an unobstructed minimum width of 18 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches.

SECTION 8. AUTOMATIC FIRE SPRINKLERS

Section 903.2 Amended Section 903.2A is added to read as follows:

Section 903.2A Existing Buildings and Structures. An automatic fire sprinkler system shall be installed in existing buildings and structures as follows:

1. As determined by the Building Official, per the ordinance of their specific jurisdiction, all existing one and two family dwellings, buildings and or structures where, additions that increase the existing gross floor area by more than 50%, or repairs that exceed more than 50% of an existing building or increase the number of floors and within the unincorporated San Mateo County SRA areas which trigger a Building Safety Score less than 17 shall install an automatic fire sprinkler system.
2. Any combination of alterations and/or repairs to more than 50% of the existing gross floor area or within the Unincorporated San Mateo County SRA areas which trigger a Building Safety Score less than 17 within a two-year time period, based on the date of final fire inspection, shall require the entire existing building to be installed with an automatic fire sprinkler system.
3. Any addition, alteration or repair within a building that contains an existing automatic fire sprinkler system shall have the automatic fire sprinkler system extended/modified to the area of proposed work.
4. Any change in use or occupancy creating a more hazardous fire/life safety condition as determined by the Fire Marshal requires that an automatic fire sprinklers system shall be installed in the space where the change in use or occupancy is proposed.
5. Any change of use from a non-habitable to a habitable basement requires the installation of an automatic fire sprinkler system in the basement.
6. All automatic fire sprinkler systems shall comply with the current edition of NFPA-13, NFPA-13D, NFPA-13R and any additional National and local standards recognized by the Woodside Fire Protection District.

Exceptions:

1. Seismic, Foundation or Accessibility improvements.
2. Detached group U and group U Agricultural occupancies which do not already have fire sprinklers and do not have living quarters attached.
3. Work requiring only mechanical, electrical, plumbing and/or demolition.
4. Exterior improvements, including windows, roofing or repairs that is reconstruction or renewal for the purpose of maintenance.
5. Work related to damage due to a natural disaster.
6. Mobile/manufactured or factory built homes constructed or altered on or before March 12, 2011, which were not manufactured with automatic fire sprinklers and are not subject to fire sprinkler requirements.
7. Any exemption otherwise allowable under the Fire Code, if determined by the Fire Marshal that the safety of the public is not compromised.

SECTION 8. CHAPTER 57 ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS ARE PROHIBITED.

The limits referred to in Section 5704.2 and 5704.4.2.4 and Table 5704.4.2 of the California Fire Code in which storage of flammable or combustible liquids in outside above ground tanks is prohibited in areas which are heavily populated or congested commercial areas within the territory of the Woodside Fire Protection District.

SECTION 9. CHAPTER 61 ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF LIQUIFIED PETROLEUM GASES IS TO BE RESTRICTED.

The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted in areas which are heavily populated or congested commercial areas within the territory of the Woodside Fire Protection District.

Section 6104.2 Amended Section 6104.2A is added to read as follows:

Section 6104.2A Where Permitted; Liquefied Petroleum Gas shall not be permitted within the Woodside Fire Protection District where natural gas mains exist. Exception: Installation of Liquefied Petroleum Gas may be permitted in the Woodside Fire Protection District if used as a means of emergency standby supply for industrial operations, residential operations or used for medical, research, testing, or purposes not suited to the use of natural gas. Such installation shall be in accordance with nationally recognized good practices and all provisions of this code.”

SECTION 10. CHAPTER 56 ESTABLISHMENT OF LIMITS IN WHICH STORAGE, OF EXPLOSIVES AND FIREWORKS AGENTS IS TO BE PROHIBITED.

The limits referred to in Section 5608.1.1 and the California Code of Regulations Title 19, Division 1, Chapter 6 in which storage of explosives and fireworks is prohibited, are hereby established to the entire territory of the Woodside Fire Protection District.

SECTION 11. CHAPTER 56: EXPLOSIVES AND FIREWORKS

Section 5608.1.1 Amended Section 5608.1.1A is added to read as follows:

Section 5608.1.1A Safe and Sane Fireworks Prohibited. All non-professional fireworks listed by the California State Fire Marshal as “Safe and Sane” are prohibited within the jurisdictional boundaries of the Woodside Fire Protection District.

5608.1 General All professional pyrotechnical devices used for public display, or special effects, shall be in accordance with the applicable provisions of the State of California Code of Regulations, Title 19 and the applicable section of the California Amended Fire Code. Permits for public display and/or special effects shall be obtained by the Fire Marshal.

SECTION 12. APPENDIX B SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS.

Section B105.1 Amended ONE AND TWO FAMILY DWELLINGS, GROUP R3 AND R4 BUILDINGS AND TOWNHOMES

This section is modified by means of Section B103

SECTION B105.1 (1) of Appendix B of the California Fire Code pertaining to fire-flow requirements for buildings to be amended at any time due to the rural nature of a water system may be substituted by the following:

SECTION B105.1 FIRE FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and Two-Family Dwellings.

The minimum fire flow shall be 1000 gallons per minute for structures 3601 square feet and greater and 750 gallons per minute for structures 1 - 3600 square feet. A water supply for fire protection shall mean a fire hydrant within 500 feet from the building, measured via an approved roadway/driveway, capable of the required fire flow.

Where a public or private water company is not within 1000 feet of the required fire hydrant location, or the water company cannot provide the required gallons per minute, NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting 2016 Edition may be adhered to for fire flow requirements as an alternate means.

SECTION 13. APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION.

Section C103.1 Amended Section C103.2A is added to read as follows:

Section C103.2A Modified Distribution of Fire Hydrants; In rural areas where parcels, with structures, have large road frontages and or long driveways the minimum location of a fire hydrant may be 500 feet to the structure measured via a roadway or primary driveway as approved by the Fire Marshal.

SECTION 14. APPENDIX D FIRE APPARATUS ACCESS ROADS.

Section D103 Amended Minimum Specifications Section D 103.1A and D103.1B is added to read as follows:

Section D103A Access road with a hydrant: Fire apparatus access roads shall be a minimum of 20 feet in width inclusive of all-weather shoulders.

Section D103B Grade: Fire apparatus access roads shall not exceed 20 percent in grade.

SECTION 15. PROVISIONS OF THE CALIFORNIA FIRE CODE ESTABLISHING BOARD OF APPEALS.

The following provisions for Appeal per Section 108.1 of the California Fire Code shall be as follows:

Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted the applicant may appeal the decision of the Chief by presenting, within 10 days, a written request to the District Board of Directors for a hearing on and a review of such decision appealed.

The request shall state the reasons therefore, and the District Board of Directors shall, within 30 days of the receipt of same, hold a hearing, and may, if they determine that the circumstances appear to justify such action, modify, vacate, or affirm the decision.

SECTION 16. PROVISIONS ADDED TO CALIFORNIA FIRE CODE.

The following provisions shall be and are hereby added or amended to said code to read as follows:

Section 104.10 Amended The following is hereby added to Section 104.10 Chapter 1, of the California Fire Code:

Section 104.10 “Authority to Photograph or Otherwise Record Investigations”.

The Chief or his duly authorized representative may make such audio, visual or other recordings including photographs, video tapes, audio tapes, diagrams, drawings, sketches, and the like, in connection with the investigation of any actual or alleged violation of this Code or in connection with the investigation of any incident as authorized by this Code.”

SECTION 17: FEES

The Board of Directors may, by resolution, establish a schedule of fees to be charged and collected for checking plans and specifications, inspection services performed, and for the issuance of permits. Such schedule when adopted shall be incorporated by reference as a part of this code as fully as if set forth at length herein. Two copies of such resolution shall be kept on file in the office of the Fire Chief of the Woodside Fire Protection District and shall be available for public inspection.

SECTION 18. VIOLATIONS.

A. Any person who shall violate any of the provision of the Fire Code hereby adopted or fails to comply therewith, or who shall violate or fail to comply with an order made there under, or who shall build in violation of any detailed statement or specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the District Board or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$500.00, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation or defects within a reasonable time; and when not otherwise specified, each day that any such prohibited conditions are maintained, shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 19. VALIDITY

The Woodside Fire Protection District Board of Directors hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Code of Standards hereby adopted be declared for any reason to be invalid, it is the intent of the Woodside Fire Protection District Board of Directors that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION 20. REPEAL OF CONFLICTING ORDINANCES.

Ordinance No. 10 of the Woodside Fire Protection District shall be and is hereby repealed.

SECTION 21. DATE OF EFFECT.

This ordinance shall be published once in the Country Almanac and shall be effective upon the expiration of 30 days from its adoption.

Regularly passed and adopted this xx day of xxxx, 2016 by the following vote:

A YES and in favor of said ordinance:
Directors:

Matt Miller

Randy Holthaus

Patrick Cain

NOES against said ordinance:
Directors: