

# **Attachment E**

Draft Ordinance – Adopting the California Fire Code

## **ORDINANCE NO. 2025-24**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, AMENDING TITLE 9 (FIRE CODE) OF THE NEWPORT BEACH MUNICIPAL CODE TO ADOPT THE 2025 EDITION OF THE CALIFORNIA FIRE CODE, WITH LOCAL AMENDMENTS**

**WHEREAS**, Section 200 of the City Charter, of the City of Newport Beach ("City"), vests the City Council with the authority to make and enforce all laws, rules and regulations with respect to municipal affairs subject only to the restrictions and limitations contained in the City Charter and the State Constitution, and the power to exercise, or act pursuant to any and all rights, powers, and privileges or procedures granted or prescribed by any law of the State of California ("State");

**WHEREAS**, pursuant to Health & Safety Code Sections 17922 and 18935, the State of California Building Standards Commission ("BSC") has approved the adoption of new model codes relating to design and construction for the protection of life and property;

**WHEREAS**, the 2025 Edition of the California Fire Code ("CFC") is based on the 2024 International Fire Code. The CFC published by the BSC in Title 24, Part 9 of the California Code of Regulations must be in effect by January 1, 2026. To include local amendments and enhance life safety and property protection, the City must complete its adoption process thirty (30) days prior to implementation. The adoption of the 2025 CFC into the Newport Beach Municipal Code ("NBMC") provides for an orderly administration of the 2025 CFC by the City's Building Official and Fire Code Official;

**WHEREAS**, local jurisdictions may amend the California Building Standards Code, which includes the 2025 CFC, as necessary to mitigate differences caused by local topographical, geographical, and climatic conditions. In accordance with California Health and Safety Code Section 17958.7, any modifications made via local ordinance must be filed, along with the findings thereto, with the BSC. These local changes will be incorporated into Title 9 of the NBMC;

**WHEREAS**, to aid in efficiency and clarity, portions of Title 9 are amended in their entirety as indicated in this ordinance and replaced with each of these modifications to the State code that are correlated with the findings in Resolution No. 2025-59 adopted by the City Council of the City on September 9, 2025. When approved, the ordinance and accompanying resolution will be forwarded to the BSC and the California Department of Housing and Community Development as required by state law;

**WHEREAS**, all prior references to the former Newport Beach Fire Code shall be construed to apply to the corresponding provisions of the Newport Beach Fire Code contained herein; and

**WHEREAS**, the 2025 Edition of the California Fire Code is similar to the 2022 version; the attached ordinance contains similar provisions as adopted by the City Council in 2022. Staff has taken the opportunity to review existing amendments in detail and some modifications are recommended.

**NOW THEREFORE**, the City Council of the City of Newport Beach ordains as follows:

**Section 1:** Chapter 9.04 of the Newport Beach Municipal Code is deleted in its entirety and amended to read as follows:

**Chapter 9.04**  
**FIRE CODE\***

**Sections:**

- 9.04.010 Adoption of the 2025 California Fire Code.
- 9.04.020 Amendment of Section 110.6 Overcrowding.
- 9.04.030 Amendment of Section 113.4 Violation Penalties.
- 9.04.040 Amendment of Section 114.4 Failure to Comply.
- 9.04.050 Amendment to Section 202 Definitions.
- 9.04.060 Amendment to Section 305 Ignition Sources.
- 9.04.070 Amendments to Section 307.4.2 Recreational Fires.
- 9.04.080 Amendments to Section 308.1.1 Where Prohibited.
- 9.04.090 Amendments to Section 308.1.7 Sky Lanterns.
- 9.04.100 Addition of Section 324 Geological Surveys.
- 9.04.110 Amendments to Section 503.2.1 Dimensions.
- 9.04.120 Amendments to Section 503.2.4 Turning Radius.
- 9.04.130 Amendments to Section 503.2.5 Dead Ends.
- 9.04.140 Amendments to Section 503.2.7 Grade.
- 9.04.150 Amendments to Section 503.4.1 Traffic Calming Devices.
- 9.04.160 Amendments to Section 503.6 Security Gates.
- 9.04.170 Amendments to Section 505.1.1 Premises Identification.
- 9.04.180 Amendments to Section 506 Key Box Contents.
- 9.04.190 Amendments to Section 510.1 Emergency Responder Communications Enhancement Systems in New Buildings.
- 9.04.200 Reserved.
- 9.04.210 Amendments to Section 510.4.2.2 Technical Criteria.
- 9.04.220 Amendments to Section 510.5.2 Approval Prior to Installation.



- 9.04.230 Amendments to Section 510.5.3 Minimum Qualifications of Personnel.
- 9.04.240 Amendments to Section 510.5.4 Acceptance Test Procedure.
- 9.04.250 Amendments to Section 510.6.1 Testing and Proof of Compliance.
- 9.04.260 Addition of Section 511.1 Building Information.
- 9.04.270 Amendments to Section 903.2 Where Required.
- 9.04.280 Amendments to Section 903.2.8 Group R.
- 9.04.290 Amendments to Section 903.3 Installation Requirements.
- 9.04.300 Amendments to Section 907.1 General.
- 9.04.310 Amendments and Additions to Section 912.1 Fire Department Connections.
- 9.04.320 Amendments to Section 912.2 Location.
- 9.04.330 Amendments to Section 1203.1.1 Stationary Generators.
- 9.04.340 Reserved.
- 9.04.350 Amendments to Section 3603.6 Berthing and Storage.
- 9.04.360 Amendments to Section 3604.1 General.
- 9.04.370 Amendments to Section 3604.2 Standpipes.
- 9.04.380 Reserved.
- 9.04.390 Amendments to Section 5003.12 Outdoor Control Areas.
- 9.04.400 Amendments to Section 5004.1 Scope.
- 9.04.410 Amendments to Section 5601.1.2 Explosive Material Terminals.
- 9.04.420 Amendments to Section 5601.1.3 Fireworks.
- 9.04.430 Amendments to Section 5601.2.2 Sale and Retail Display.
- 9.04.440 Amendments to Section 5704.2.11.1 Underground Tanks.
- 9.04.450 Amendments to Section 5706.4 Bulk Plants or Terminals.
- 9.04.460 Amendments to Appendix B Fire-Flow Requirements for Buildings.
- 9.04.470 Fire Hazard Severity Zone.

#### **Section 9.04.010 Adoption of the 2025 California Fire Code.**

The City Council adopts and incorporates by reference, as though set forth in full in this section, the California Fire Code 2025 Edition, and the whole thereof including the matrix adoption tables for each chapter, and Appendices B, BB, C, CC, E, F, G, I and N, and all national code and standards referenced therein, based on the 2024 International Building Code, as published by the International Code Council.

The various parts of these codes and standards, along with the additions, amendments and deletions adopted in this section, shall constitute and be known as the "Newport Beach Fire Code." A copy of the 2025 Fire Code, printed in code book form, shall be kept on file in the office of the fire code official and building official and made available for public inspection.

#### **Section 9.04.020 Amendment of Section 110.6 Overcrowding.**



Section 110.6 Overcrowding is amended to read as follows:

**1010.6 Overcrowding.** Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official or their designee, on finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or on finding any condition that constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected. The supervisor of each place of assembly shall have an effective system to keep count of the number of occupants present in the assembly area.

**Section 9.040.030 Amendment of Section 113.4 Violation Penalties.**

Section 113.4 is amended to read as follows, with all related subsections remaining unchanged unless specifically modified by this ordinance:

**113.4 Violation Penalties.** Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who 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 guilty and liable in accordance with the Newport Beach Municipal Code.

**Section 9.040.040 Amendment of Section 114.4 Failure to Comply.**

Section 114.4 is amended to read as follows:

**Section 114.4 Failure to Comply.** Any person who continues work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to criminal prosecution, a fine in accordance with the Newport Beach Municipal Code Title One 1.04.010 "Violation, Penalties and Enforcement," injunctive relief and/or any other judicial remedy available pursuant to state or federal law

**Section 9.040.050 Amendment to Section 202 Definitions.**

Section 202 is amended to add the following definitions to read as follows:

**CUL-DE-SAC:** A street closed at one end, with a circular terminus at the closed end to allow vehicles to turn around.

**DEFENSIBLE SPACE:** Defensible space is an area either natural or man-made, where plant materials and natural fuels have been treated, reduced, or modified to slow the rate and intensity of an advancing wildfire, and to create an area for firefighters to suppress fire and protect structure(s).

**DOCK:** A structure linked to the shoreline to which a vessel may be secured. A dock may be fixed to the shore or fixed on pilings, or may float in the water.

**FUEL MODIFICATION PLAN:** An approved plan which identifies specific fuel modification zones within a property are subject to fuel modification. Fuel modification plans show the area and location of all hardscape/softscape improvements and fuel modifications necessary to achieve the minimum acceptable level of risk to structures from fires in combustible vegetation.

**FUEL MODIFICATION ZONE:** A specific area where vegetation has been removed, planted, or modified in conjunction with an approved fuel modification plan that increases the likelihood that a structure will survive a wildfire, improve the defensible space around the structure for firefighting activities, and prevents direct flame contact with structures. Vegetation includes native and ornamental plants, non-native naturalized annual grasses, and other invasive or naturalized species. Fuel modification activities can include removal, partial or total replacement of existing plants with adequately spaced drought-tolerant and fire-resistant species, and thinning of existing native or ornamental species.

**HAZARD REDUCTION ZONE:** Any geographical area designated by the Fire Chief in which structures directly abut a wildland space on one or more sides.

**LOCAL AGENCY VERY HIGH FIRE HAZARD SEVERITY ZONE:**

A geographical area designated in accordance with California Government Code Section 51179, and by ordinance adopted by the City Council, which contains the type and condition of vegetation, topography,



climate and structure density which potentially increases the possibility of uncontrolled fire spread through vegetative fuels threatening life or property. For the purposes of this code, Local Agency Very High Fire Hazard Severity Zones shall be considered to be Very High Fire Hazard Severity Zones as defined in Government Code Section 51179.

**WILDLAND FUELS:** Any combustible material in a wildland area.

#### **9.04.060 Amendment to Section 305 Ignition Sources.**

Section 305 is amended by adding the following:

**305.6 Vegetation.** Weeds, grass, vines or other growth that is capable of being ignited and endangering property, or is located within 10 feet (3.048 m) of a chimney outlet, shall be cut down and removed by the property owner or responsible person. Vegetation modification requirements in wildland-urban interface areas shall be in accordance with Section 4901 et seq. of this code.

**305.7 Clearance of Brush or Vegetation Growth from Roadways.** The fire code official is authorized to cause areas within ten (10) feet (3.048 m) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be free of flammable vegetation and other combustible growth.

**Exception:** Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

#### **305.8 Abatement.**

**305.8.1.1 Authority to Declare Nuisance and Abate.** If and when the fire code official determines that uncontrolled or high weeds, brush, plant material, fire hazards, or other items prohibited under this code increase the danger of fire and thus constitutes a fire hazard, the fire code official may, by written notice, direct the removal thereof by following the procedures outlined in Title 10, Chapter 10.48 of the Newport Beach Municipal Code. As authorized by Chapter 10.48, the City may take further action which may include: (1) the City, or its contractor, may enter upon



the parcel of land and remove or otherwise eliminate or abate the hazard; (2) that upon completion of such work the cost thereof, including Nuisance Abatement Services, can be billed to the property owner or responsible person, or can become a special assessment against that parcel; and (3) that upon City Council confirmation of the assessment and recordation of that order, a lien may be attached to the parcel to be collected on the next regular property tax bill levied against the parcel.

**305.8.1.2 Emergency Private Property Abatement.** When in the opinion of the fire code official a substandard structure or substandard property is an immediate hazard to life and property, and the fire code official makes written findings to the effect that abatement of such a fire hazard requires immediate action, the fire code official may then cause such work to be done to the extent necessary to eliminate the hazard. At least twenty-four (24) hours prior to the abatement, the fire code official shall attempt to contact the property owner or responsible person to inform the property owner or responsible owner of the work to be done and request their assistance or immediate voluntary removal of the hazard. After the work is performed, the fire code official shall post a notice and mail to the property owner or responsible person information regarding the nature of the work performed. Any individual aggrieved by the action of the fire code official under this section, may appeal the determination as provided in Section 15.80 of the Newport Beach Municipal Code.

**305.8.1.3 Abatement costs.** The costs involved in the correction of the substandard conditions and fire hazards pursuant to Section 305.8.1.2 of this chapter shall become a special assessment against the property. In addition to the above costs, an administrative processing fee established by resolution of the City Council shall be assessed against each parcel for City incurred costs associated with abatement. An additional inspection fee shall be established by resolution of the City Council for charges related to inspection services for vegetation hazard identification. The schedule for such fees shall be maintained on file in the Office of the City Clerk.

The fire code official shall notify, in writing, all parties concerned of the amount of such assessment related to work performed in accordance with Government Code Section 38773.5. The property owner or responsible person may appeal the fire code official's assessment by sending a written appeal to the fire code official within fifteen (15) calendar days of the

mailing of the notice. Any appeal regarding the reasonableness of the assessment of costs shall be heard by the Fire Chief. The decision of the Fire Chief shall be final.

If the total assessment determined as provided for in this section is not paid within thirty (30) calendar days after mailing of such notice or after a decision has been rendered on any appeal, the property owner or responsible person shall be billed. If unpaid, such charges shall be placed as a special assessment on the tax bill for the property pursuant to the procedures set forth in Section 38773.5 of the Government Code which is incorporated herein by this reference.

**305.8.1.4 Other Abatement Procedures.** The provisions of this ordinance shall not in any manner limit or restrict the City from enforcing City ordinances or abating public nuisances in any other manner provided by law.

#### **9.04.070 Amendments to Section 307.4.2 Recreational Fires.**

Section 307.4.2 is amended by adding the following:

**307.4.2.1 Beach, Camp, and Recreational Fires.** No person shall make, set, or maintain any beach or camp/recreational fire at any beach, park, or other public place within the City except in areas where proper containers are provided for such fires by the City and where City signs are plainly posted indicating such fires are permissible.

#### **9.04.080 Amendments to Section 308.1.1 Where Prohibited.**

Section 308.1.1 is amended by adding Section 308.1.1:

**Section 308.1.1.1 Fireplace.** No fireplace that uses flammable or combustible liquid as a fuel source shall be allowed inside or outside a structure, except outside for R3 occupancy is allowed.

#### **9.04.090 Amendments to Section 308.1.7 Sky Lanterns.**

Section 308.1.7 is amended as follows:



**308.1.7 Sky Lanterns.** A person shall not use or release any sky lantern in the City.

**9.04.100 Addition of Section 324 Geological Surveys.**

Section 324 is added as follows:

**SECTION 324 GEOLOGICAL SURVEYS**

**324.1 General.** Development on or near land containing or emitting toxic, combustible or flammable liquids, gases, or vapors.

**324.2 Geological surveys.** The fire code official may require the submittal for review and approval of geological studies, evaluations, reports, remedial recommendations and/or similar documentation from a state-licensed and department approved individual or firm, on any parcel of land to be developed which:

1. Is within one thousand (1,000) feet (304.8 m) of a parcel of land that has an active, inactive, or abandoned oil or gas well operation, petroleum or chemical refining facility, petroleum or chemical storage;
2. May contain or give off toxic, combustible or flammable liquids, gases, or vapors; or
3. Modifies an existing system.

**9.04.110 Amendments to Section 503.2.1 Dimensions.**

Section 503.2.1 is amended to read as follows:

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than twenty (20) feet (6.1m) and shall not be less than twenty six (26) feet (7.92 m) within thirty (30) feet (9.14 m) of a fire hydrant, except when the road passes through approved security gates in accordance with Section 503.6. Roads shall have an unobstructed vertical clearance of not less than thirteen (13) feet, six (6) inches (4.1m).

**9.04.120 Amendments to Section 503.2.4 Turning Radius.**



Section 503.2.4 is amended to read as follows:

**503.2.4 Turning Radius.** The turning radius for fire apparatus access roads shall have at least a twenty (20) feet (6.1m) inside radius and forty (40) feet (12.2m) outside radius.

Exception: Cul-de-sacs with center obstructions may require larger turning radius as approved by the fire code official.

**9.04.130 Amendments to Section 503.2.5 Dead Ends.**

Section 503.2.5 is amended to read as follows:

**503.2.5 Dead Ends.** Dead-end fire apparatus access roads in excess of one hundred and fifty (150) feet (60.96 m) in length shall be provided with an approved cul-de-sac for turning around fire apparatus without backing up.

**9.04.140 Amendments to Section 503.2.7 Grade.**

Section 503.2.7 is amended to read as follows:

**503.2.7 Grade.** The gradient for a fire apparatus access road shall not exceed ten (10) percent.

**9.04.150 Amendments to Section 503.4.1 Traffic Calming Devices.**

Section 503.4.1 is amended to read as follows:

**503.4.1 Traffic Calming Devices.** Any traffic calming devices in required access roadways when approved by the fire code official, shall be in accordance with the Newport Beach Public Works Department's Neighborhood Traffic Management Policy.

**9.04.160 Amendments to Section 503.6 Security Gates.**

Section 503.6 is amended to read as follows:

**Section 503.6 Security Gates.** Vehicle access gates or barriers installed across a fire apparatus access road shall be in accordance with the City's Guidelines and Standards C.01 Emergency Fire Access: Roadways, Fire Lanes, Gates, and Barriers. The minimum width of any gate or opening necessary or required as a point of access shall have at least fourteen (14) feet (4.27 m) unobstructed width. This minimum width may be increased depending on the length of the approach. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

**9.04.170 Amendments to Section 505.1.1 Premises Identification.**

Section 505.1 is amended by adding Section 505.1.1 to read as follows:

**505.1.1 Premises Identification.** All multi-unit residential and commercial buildings shall have numbers or addresses placed above or immediately adjacent to all doors that allow fire department access. In no case shall the numbers be less than six inches (152 mm) in height with a one-inch (25 mm) stroke. Address numbers shall contrast with their background, and shall be either internally or externally illuminated to be visible at night. All multi-unit residential and commercial buildings shall have numbers or addresses place above or immediately adjacent to all doors that allow fire department access.

**9.04.180 Amendments to Section 506 Key Box Contents.**

Section 506 is amended by adding Section 506.3 to read as follows:

**506.3 Key Box Contents.** When a key box is required the following types of keys shall be provided:

- A. Keys to locked points of ingress whether on the interior or exterior of the building.
- B. Keys to locked mechanical equipment rooms.
- C. Keys to locked electrical rooms.
- D. Keys to elevator controls.

E. Keys to other areas as directed by the fire code official.

**9.04.190 Amendments to Section 510.1 Emergency Responder Communications Enhancement Systems in New Buildings.**

Section 510.1 is amended to read as follows:

**510.1 Emergency Responder Communications Enhancement Systems in New Buildings.** Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new buildings. In-building, two way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the City , measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. The emergency responder radio coverage system shall comply with the requirements of the Orange County Sheriff's Department, Communications and Technology Division, and where the functionality of performance requirements in the California Fire Code are more stringent, this code.

**9.04.200 Reserved.**

**9.04.210 Amendments to Section 510.4.2.2 Technical Criteria.**

Section 510.4.2.2 is amended to read as follows:

**510.4.2.2 Technical Criteria.** The fire code official shall maintain a document providing the specific technical information and requirements for the emergency responder radio coverage system. This document shall contain, but not be limited to, the various frequencies required, the location of radio sites, effective radiated power of radio sites, and other supporting technical information, including:

1. The frequency range supported from the 800MHz Countywide Communications System shall be 851-824 MHz (base transmitter frequencies).



2. The frequency range supported from the 800MHz Countywide Communications System shall be 806-824 MHz (radio field transmit frequencies).
3. The public safety radio amplification system shall include filters to reject frequencies below 851 MHz and frequencies above 869 MHz by a minimum of 35dB.
4. All system components must be one hundred (100) percent compatible with analog and digital modulations after installation, without adjustments or modifications. The systems must be capable of encompassing the frequencies stated herein and capable of future modifications to a frequency range subsequently established by the jurisdiction.
5. Active devices shall have a minimum of -50 dB 3rd order intermodulation protection.
6. All active in-building coverage devices shall be Federal Communications Commission Part 90 certified.

**9.04.220 Amendments to Section 510.5.2 Approval Prior to Installation.**

Section 510.5.2 is amended to read as follows:

**510.5.2 Approval Prior to Installation.** Amplification systems capable of operating on frequencies licensed to any public safety agency by the Federal Communications Commission shall not be installed without prior plan submittal, coordination, and approval from the Orange County Sheriff's Department Communications Division; with a copy provided to the fire and building code official.

**9.04.230 Amendments to Section 510.5.3 Minimum Qualifications of Personnel.**

Section 510.5.3 is amended to read as follows:

**510.5.3 Minimum Qualifications of Personnel.** The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid Federal Communications Commission-issued general radio operators license.
2. Certification of in-building system training issued by, a nationally recognized organization, school or a certificate issued by the manufacturer of the equipment being installed.

**9.04.240 Amendments to Section 510.5.4 Acceptance Test Procedure.**

Section 510.5.4 is amended to read as follows:

**510.5.4 Acceptance Test Procedure.** When an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested by a qualified Federal Communications Commission licensed third party technician to ensure that two-way coverage on each floor of the building is not less than a minimum of ninety-five (95) percent. The test procedure shall be conducted as follows:

**9.04.250 Amendments to Section 510.6.1 Testing and Proof of Compliance.**

Section 510.6.1 shall be amended as follows:

**510.6.1 Testing and Proof of Compliance.** The owner of the building or their representative shall have the emergency responder radio coverage system inspected and tested annually or whenever structural changes occur including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following:

1. Signal boosters shall be tested to ensure that the gain is the same as it was upon initial installation and acceptance or set to optimize the performance of the system. In-building system components shall be tested to determine general function operability. If noncompliance is found, the FCC licensed technician will assess improvements necessary and provide such information to OCSD Communications, and the fire and building code official.

2. Backup batteries and power supplies shall be tested under load for a period of one (1) hour to verify that they will properly operate during an actual power outage. If within the one (1) hour test period the battery exhibits symptoms of failure, the test shall be extended for additional one (1) hour periods until the integrity of the battery can be determined.
3. All other active components shall be checked to verify operation within the manufacturer's specifications.
4. At the conclusion of the testing, a certification report, which shall verify compliance with Section 510.5.4, shall be submitted to Orange County Sheriff's Department Communications and the fire and building code official.

**9.04.260 Addition of Section 511.1 Building Information.**

Section 511.1 is added to read as follows:

**511.1 Building Information.** The fire code official is authorized to require a cabinet for onsite storage of pre-plans and other building information that is accessible to the fire code official.

**9.04.270 Amendments to Section 903.2 Where Required.**

Section 903.2 is amended to read as follows:

**903.2 Where Required.** Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the following locations: "Building Area" as used in this section shall mean gross building area enclosed within exterior walls.

1. New buildings: Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.12, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area exceeds five thousand (5,000) square feet (465 m<sup>2</sup>), unless more restrictive requirements are required by other provisions of the code.



2. Existing buildings: Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when any of the following conditions exists:
  - a. When an addition is fifty (50) percent or more of the existing building area and the resulting building area exceeds five thousand (5,000) square feet (465 m<sup>2</sup>).
  - b. When an additional story is added above the second floor regardless of fire areas or allowable area.
  - c. When an addition is added and the existing building is already provided with an automatic fire sprinkler system.
  - d. More restrictive requirements are required by other provisions of the code.

#### **9.04.280 Amendments to Section 903.2.8 Group R.**

Section 903.2.8 Group R is amended to read as follows:

**Section 903.2.8 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area as follows:

1. **New buildings:** An automatic sprinkler system shall be installed throughout all new buildings.
2. **Existing buildings:** An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
  - a. An addition when the increase in building size is 2,000 sq. ft. or more and exceeds fifty (50) percent of the area of the existing structure.
  - b. An addition, when the existing building is already provided with an automatic sprinkler system.

- c. As determined for new construction per Section 102.4.

**Exceptions:**

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies and not housing bedridden clients, not housing non-ambulatory clients above the first floor, and not housing clients above the second floor.
2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 435.8.3.3 of the California Building Code.
3. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
4. The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.
5. Pursuant to Health and Safety Code, Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill children or children with intellectual disabilities, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and building or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.
6. Pursuant to Health and Safety Code, Section 13143.6, occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

When not used in accordance with Sections 504.2 or 506.3 of the California Building Code, an automatic sprinkler system

installed in accordance with Section 903.3.1.3 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

#### **9.04.290 Amendments to Section 903.3 Installation Requirements.**

Section 903.3 is amended to read as follows:

**903.3 Installation Requirements.** Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.8 and in accordance with City's Guidelines and Standards F.02 Fire Sprinkler System Design Pressure.

#### **9.04.300 Amendments to Section 907.1 General.**

Section 907.1 is amended by adding Section 907.1.6 to read as follows:

**907.1.6 System Design.** No building shall have more than one fire alarm panel. All fire detection and protection devices shall operate and be connected to the building fire alarm panel.

Smoke detectors connected to the alarm system shall have a visible indicator that displays the status of the detector. When a detector is located in a space above a drop ceiling, an indicating light shall be provided and plainly visible.

**Exception:** Smoke detectors installed with an addressable alarm system capable of showing the approximate location of all activating devices.

#### **9.04.310 Amendments and Additions to Section 912.1 Fire Department Connections.**

Section 912.1 is amended by adding Section 912.1.1 to read as follows:

**912.1.1 Installation.** The size of piping and the number of inlets shall be approved by the fire code official. All fire department connections shall be listed assemblies. Fire department inlet connections shall be painted



OSHA safety red unless otherwise approved by the fire code official. When the fire flow demand of a sprinkler system is 500 gpm or greater, including the interior hose stream demand if a standpipe system is installed, four (4) two and one half (2 1/2") inlets shall be provided.

**9.04.320 Amendments to Section 912.2 Location.**

Section 912.2 is amended to read as follows:

**912.2 Location.** With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of the fire department connection shall be no more than one hundred (100) feet (30.48 m) from a public hydrant. When possible, the fire department connection shall be located 30 feet (9.14 m) minimum from beginning of radius for driveway approach. The location of fire department connections shall be approved by the fire code official.

**9.04.330 Amendments to Section 1203.1.1 Stationary Generators.**

Section 1203.1.1 is amended to add Section 1203.1.1.1 to read as follows:

**1203.1.1.1 Emergency Power Outlets.** Provide and install electrical outlets (120 volt, duplex) that are connected to the emergency generator circuitry/system when a generator is required by Section 1203.2 of the California Fire Code in every fire control room and in other areas as may be designated by the fire code official. Emergency outlets shall be placed in the following locations:

1. In the main exit corridor of each floor adjacent to each exit enclosure.
2. On every level in every stairwell.
3. In each elevator lobby.
4. In public assembly areas larger than 1,500 square feet.
5. In every fire control room.

6. In such other areas as may be designated by the fire code official.

**9.04.340 Reserved.**

**9.04.350 Amendments to Section 3603.6 Berthing and Storage.**

Section 3603.6 is amended by adding Sections 3603.6.1 and 3603.6.2 to read as follows:

**3603.6.1 Multiple Berthing and Vessel Rafting.** All vessels in marinas shall be arranged such that a vessel occupying a slip can be readily removed in an emergency without the necessity of moving other vessels.

**Exceptions:**

1. Tenders or dinghies may be tied to a vessel's stern without the need of an action plan providing the length of the tender or dinghy does not exceed the width of the vessel's beam.
2. Vessels with beams of less than fourteen (14) feet are permitted to have a tender or dinghy, up to a maximum of fourteen (14) feet in length, tied to the vessel's stern.

**Section 3603.6.2 Permitted Multiple Berthing.** A permit may be issued for multiple berthing under the following conditions:

1. Multiple berthing occurs between the hours of 0700 to 1800. An action plan must be developed by the applicant indicating:
  - a. How the vessels will be moved in the event of a fire.
  - b. The person is responsible for moving the vessels.
  - c. Where the vessels will be relocated to after 1800 hours.
  - d. How employee training and emergency communications are being provided.

2. The multiple berthing is necessary for a special event or other extenuating circumstances and will occur for a limited period of time, which shall be approved by the fire code official and per City's Guidelines and Standards A.10 Multiple Berthing and/or Rafting at Special Events.

**9.04.360 Amendments to Section 3604.1 General.**

Section 3604.1 is amended to read as follows:

**3604.1 General.** Piers, marinas, wharves, docks, and floats serving boatyards, hotels, yacht clubs, boat condominiums, docking facilities associated with residential condominiums and multiple family residences with facilities for mooring or servicing vessels, and marine motor vehicle fuel-dispensing facilities stations shall be equipped with fire protection equipment in accordance with Sections 3604.2 through 3604.6.

**9.04.370 Amendments to Section 3604.2 Standpipes.**

Section 3604.2 Standpipes is amended to read as follows:

**3604.2 Standpipes.** When any portion of a pier, marina, wharf, dock, or float is more than one hundred fifty (150) feet from a fire apparatus access road, it shall be equipped with a Class III standpipe system installed in accordance with NFPA 303 and City's Guidelines and Standards F.01. Fire Protection for Marinas, Wharfs, and Piers.

**9.04.380 Reserved.**

**9.04.390 Amendments to Section 5003.12 Outdoor Control Areas.**

Section 5003.12 is amended by adding the following subsection 5 to read as follows:

5. Outdoor control areas shall be protected against tampering or trespassers by fencing or other control measures as approved by the fire code official.

**9.04.400 Amendments to Section 5004.1 Scope.**

Section 5004.1 is amended by adding Section 5004.1.1 to read as follows:



**5004.1.1 Maximum Quantity On Site.** No person shall use or store any amount of Extremely Hazardous Substances (EHS) equal to or greater than the amounts disclosed as listed in Appendix A, Part 355, Title 40, of the Code of Federal Regulations in a residential zone or adjacent to property developed with residential uses, unless approved mitigation measures are implemented and maintained, as required by the fire code official.

**9.04.410 Amendments to Section 5601.1.2 Explosive Materials Terminals.**

Section 5601.1.2 is amended to read as follows:

**5601.1.2 Explosive Materials Terminals.** No person shall store explosives or blasting agents anywhere in the City unless the fire code official has issued a permit authorizing use and/or storage.

**9.04.420 Amendments to Section 5601.1.3 Fireworks.**

Section 5601.1.3 is amended to read as follows:

**5601.1.3 Fireworks.** No person shall store, use, sell, possess, or handle fireworks 1.4G, (commonly referred to as "Safe and Sane") and fireworks 1.3G anywhere in the City.

**Exception:** Fireworks 1.4G and fireworks 1.3G may be part of an electronically fired public display when permitted by the fire code official and conducted by a licensed pyrotechnic operator.

**9.04.430 Amendments to Section 5601.2.2 Sale and Retail Display.**

Section 5601.2.2 is amended to read as follows:

**5601.2.2 Sale and Retail Display:** Persons shall not conduct a retail display nor offer for sale explosives, explosive materials or fireworks on highways, sidewalks, private property, public properties anywhere in the City.

**9.04.440 Amendments to Section 5704.2.11.1 Underground Tanks.**

Section 5704.2.11.1 is amended by adding subsection 4 to read as follows:

4. The underground storage of flammable liquids shall be prohibited in any residential district or any residential area of a planned community district, as defined in Section 20.14.020 of the Newport Beach Municipal Code.

**9.04.450 Amendments to Section 5706.4 Bulk Plants or Terminals.**

Section 5706.4 is amended to read as follows:

**5706.4 Bulk Plants or Terminals.** Portions of properties where flammable and combustible liquids are received by tank vessels, pipelines, tank cars or tank vehicles and are stored or blended in bulk for the purpose of distributing such liquids by tank vessels, pipelines, tank cars, tank vehicles or containers are prohibited within the boundaries of the City except as permitted by the fire code official. Approved installations shall comply with Sections 5706.4.1 through 5706.4.10.4.

**9.04.460 Amendments to Appendix B Fire-Flow Requirements for Buildings.**

Section B105.2 of Appendix B Fire-Flow Requirements for Buildings is amended to read as follows:

**B105.2 Buildings Other Than One-and Two- Family Dwellings, Group R-3 and R-4 buildings and townhouses.** The minimum fire-flow and flow-duration for buildings other than one-and two-family dwellings, shall be as specified in Tables B105.1(1)

**Exception:** A reduction in required fire flow of up to fifty (50) percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1. The resulting fire flow shall not be less than 1,500 gallons per minute (5677.5 L/min.) for the prescribed duration as specified in Table B105.1(2).

**9.04.470 Fire Hazard Severity Zone.**

Section 9.04.070 is amended to read as follows:



Pursuant to Ordinance No. 2025-11, the City Council designated those areas identified on the map attached to the ordinance codified in this section, which is on file with the City Clerk and available electronically on the City website, as Fire Hazard Severity Zones which include Moderate, High and Very High Fire Hazard Severity Zones.

**Section 2:** The recitals provided in this ordinance are true and correct and are incorporated into the substantive portion of this ordinance.

**Section 3:** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional. In the event that any part of this ordinance is found to be invalid or unconstitutional, the affected section, subsection, sentence, clause or phrase shall revert to the version that was in effect immediately prior to the adoption of this ordinance.

**Section 4:** The City Council finds the introduction and adoption of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Additionally, this ordinance is exempt from the CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This ordinance itself does not authorize development that would directly result in physical change to the environment.

**Section 5:** Except as expressly modified in this ordinance or the ordinance adopting the Newport Beach Wildland Urban Interface Code Ordinance No. 2025-25, all other Sections, Subsections, terms, clauses and phrases set forth in Title 24, Part 9 (Fire Code) and the Newport Beach Municipal Code shall remain unchanged and shall be in full force and effect.



**Section 6:** The Mayor shall sign and the City Clerk shall attest to the passage of this ordinance and the City Clerk shall cause the same to be published pursuant to City Charter Section 414 and California Government Code Section 50022.1 et seq. This ordinance shall take effect on January 1, 2026, pursuant to California Health and Safety Code Sections 17958 and 18941.

This ordinance was introduced at a regular meeting of the City Council of the City of Newport Beach held on the 9th day of September, 2025, and adopted on the 23rd day of September, 2025, by the following vote, to-wit:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

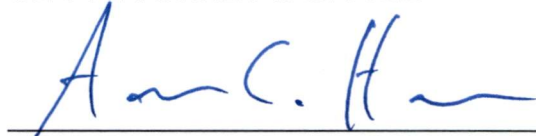
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Joe Stapleton, Mayor

**ATTEST:**

\_\_\_\_\_  
Molly Perry, Interim City Clerk

**APPROVED AS TO FORM:**  
CITY ATTORNEY'S OFFICE



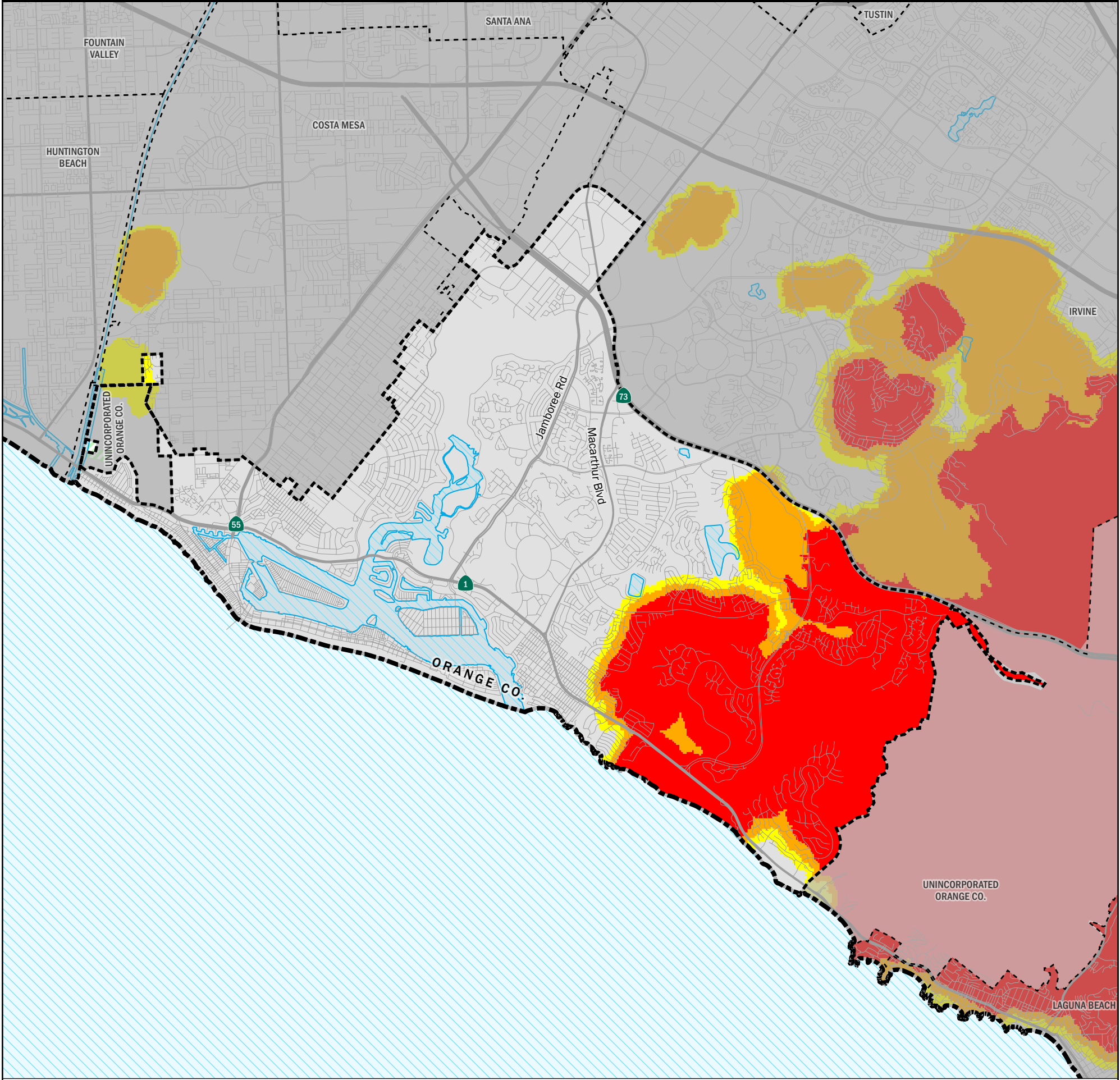
\_\_\_\_\_  
Aaron C. Harp, City Attorney

Attachment: Section 9.04.470 Local Agency Very High Fire Hazard Severity Zone Map



# Local Responsibility Area Fire Hazard Severity Zones

As Identified by the  
State Fire Marshal  
March 24, 2025



**Fire Hazard Severity Zones (FHSZ) in Local Responsibility Area (LRA), as Identified by the State Fire Marshal**

Very High     High     Moderate

**Fire Hazard Severity Zones in State Responsibility Area (SRA), Effective April 1, 2024**

Very High     High     Moderate

Mi 0 1 2 3  
Km 0 1 2 3 4 5

Projection: NAD 83 California Teale Albers  
Scale: 1:71,000 at 11" x 17"

Incorporated City

Unzoned LRA

Waterbody

Federal Responsibility Area (FRA)

Government Code section 51178 requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather,

Gavin Newsom, Governor, State of California  
Wade Crowfoot, Secretary for Natural Resources, CA Natural Resources Agency  
Joe Tyler, Director/Fire Chief, CA Department of Forestry and Fire Protection  
Daniel Berlant, State Fire Marshal, CA Department of Forestry and Fire Protection

and other relevant factors including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread.

Data Sources:  
CAL FIRE Fire Hazard Severity Zones (FHSZSRA23\_3, FHSZLRA\_25\_1)  
CAL FIRE State Responsibility Areas (SRA25\_1)  
City and County boundaries as of 10/22/24 (CA Board of Equalization)

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