

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

ORDINANCE NO. 2025-

An ordinance adopting the 2025 California Fire Code (based upon the 2024 International Fire Code), including Appendix B and C and repealing, replacing and amending sections of Chapter 3 and 7.8 of the San Leandro Municipal Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of San Leandro; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 2022-018 of the City of San Leandro and all other ordinances or parts of laws in conflict therewith.

FIRE CODE

The City Council of the City of San Leandro does ORDAIN as follows:

Section 1. That a certain document, a copy of which is on file in the office of the City Clerk of the City of San Leandro and two additional copies in fire prevention, being marked and designated as the California Fire Code, 2025 edition, including Sections 101, 103.2, 104, 105.2.3, 108, and 503, and Appendix Chapters B and C, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of San Leandro, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of City Clerk of San Leandro are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, prescribed in Section 2 of this ordinance.

Section 2. That all sections of Chapter 7-5, "Uniform Fire Code," Article 8, Sections 100, 103, 104, 105.2.3, 108, 113 and Appendix D are hereby repealed and replaced in their entirety as follows:

7-5-800 Adoption.

Except as hereafter specifically set forth, the "[California Fire Code](#), 2025 Edition," published by the International Code Council with Sections 101, 103.2, 104, 105.2.3, 108, 503 and Appendix Chapters B and C is hereby adopted as the Fire Code of the City of San Leandro. However, in accordance with California [Government Code](#) Section 50022.4, no penalty clauses are adopted by reference. In the event an amendment to the [California Building Standards Code](#) results in differences between these building standards and the [California Building Standards Code](#), the text of these building standards shall govern. In accordance with California [Health and Safety Code](#) Section 17958.7, express findings that modification to the [California Building Standards Code](#) are reasonably necessary because of local climatic, geological or topographical conditions are either already on file with the California Building Standards Commission, or will be filed prior to the effective date of the ordinance codified in this Article. In accordance with

California [Government Code](#) Section 50022.6, at least one true copy of the California Fire Code has been on file with the San Leandro City Clerk fifteen (15) days prior to the enactment of the ordinance codified in this Chapter. While this Chapter is in force, a true copy of the [California Fire Code](#) shall be kept for public inspection in the office of the San Leandro City Clerk.

7-8-10 Amendments

101.1 Title–Amended

These regulations shall be known as the Fire Code of San Leandro, hereinafter referred to as “this code.”

103.2 Appointment–Amended.

The fire code official shall be appointed by the fire chief serving the City of San Leandro.

104.7 Official records–Amended.

The City of San Leandro shall keep official records as required Sections 104.7.1, 104.7.2, 104.7.4, 104.7.5, and 107.4.7.6. Such official records shall be retained for not less than five years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

104.7.1 Approvals.

A record of approvals shall be maintained by the City of San Leandro Building Department and shall be available for public inspection during business hours in accordance with applicable laws.

104.7.2 Inspections.

The City of San Leandro Building Department shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

104.7.3 Fire records.

The fire department shall keep a record of fires occurring within the City of San Leandro and of facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby.

104.7.4 Code alternatives and modifications.

Application for modification, alternative methods or materials and the final decision of the fire code or building official shall be in writing and shall be officially recorded in the permanent records of the City of San Leandro.

104.7.5 Tests. The City of San Leandro shall keep a record of tests conducted to comply with Sections 104.2.2.4 and 104.2.3.5.

104.7.6 Fees. The City of San Leandro shall keep a record of fees collected and refunded in accordance with the City San Leandro Master Fee Schedule.

105.1.2 Types of permits—Amended.

There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.5 until said permit is revoked by the fire department.
2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.6.

108.2 Schedule of permit fees—Amended.

Fees shall be assessed for permits and associated plan review in accordance with the fee schedule established by the San Leandro City Council as set forth in Chapter 4 of the San Leandro Administrative Code.

108.6 Refunds—Amended.

Shall be in accordance with the provisions in Section 109 of the San Leandro Building Code.

113.4 Violation penalties—Amended.

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 penalties as prescribed by law.

113.4.1 Abatement of violation.

In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premise; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premise.

903.2.1.1 Group A-1—Amended.

An automatic sprinkler system shall be provided for fire areas containing Group A-1 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (697 m²), or
2. The fire area has an occupant load of 300 or more, or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies, or
4. The Fire area contains a multi-theater complex, or

903.2.1.2 Group A-2-Amended.

An automatic sprinkler system shall be provided for fire areas containing Group A-2 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (465 m²), or
2. The fire area has an occupant load of 100 or more, or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies, or

903.2.1.3 Group A-3-Amended.

An automatic sprinkler system shall be provided for fire areas contain Group A-3 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (697 m²), or
2. The fire area has an occupant load of 300 or more, or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies, or

903.2.1.4 Group A-4-Amended.

An automatic sprinkler system shall be provided for fire areas containing Group A-4 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (697 m²), or
2. The fire area has an occupant load of 300 or more, or
3. The fire area is located on a floor other than a level of exist discharge serving such occupancies, or
- 4.

903.2.2 Group B Occupancies

An automatic sprinkler system shall be provided in Group B occupancies where the floor area exceeds 5,000 square feet (697 m²). and as required is section 903.2.2.1 and 903.2.2.2.

903.2.3 Group E-Amended.

An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 5,000 square feet (697 m²) in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.
3. In rooms or areas with special hazards such as laboratories, vocational shops and other areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.

903.2.4 Group F-1-Amended.

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

1. A Group F-1 fire area exceeds 5,000 square feet (697 m²).
2. A Group F-1 fire area is located more than three stories above the grade plane.
3. A Group F-1 occupancy is used to manufacture lithium-ion or lithium metal batteries..
4. A Group F-1 occupancy is used to manufacture vehicles, energy storage systems or equipment containing lithium-ion or lithium metal batteries where the batteries are installed as part of the manufacturing process..
5. Throughout a Group F-1 fire area that contains woodworking operations in excess of 2,500 square feet (232 m²)
6. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).
7. Throughout a Group F-1 fire area used for the manufacture of distilled spirits.

903.2.7 Group M–Amended.

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

1. A Group M fire area exceeds 5,000 square feet (697 m²), or
2. A Group M fire area is located more than three stories above grade plane, or
3. When the overall height of the building exceeds 30 feet.

903.2.7.1 High-piled storage–Amended.

An automatic sprinkler system shall be provided as required in Chapter 32 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

903.2.7/3 Lithium-ion or lithium metal battery storage. An automatic sprinkler system shall be provided in a room or space within a Group M occupancy where required for the storage of lithium-ion or lithium metal batteries by Section 320 or Chapter 32.

903.2.9 Group S-1–Amended.

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

1. A Group S-1 fire area exceeds 5,000 square feet (697 m²).
2. A Group S-1 Fire area is located more than three stories above grade plane.
3. A Group S-1 occupancy used for the storage of lithium-ion or lithium metal powered vehicles where the fire area area exceeds 500 square feet (46.4 m²).

903.2.9.1 Repair garages.

An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet (697 m²).
2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet (697 m²).
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet (465 m²).
5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet (46.4 m²).

903.2.9.2 Bulk storage of tires.

Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet (566 m³) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.9.3 Group S-1 distilled spirits or wine. An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine.

903.2.9.4 Group S-1 upholstered furniture and mattresses. An automatic sprinkler system shall be provided throughout a Group S-1 fire area where the area used for the storage of upholstered furniture or mattresses exceeds 2,5000 square feet (232 m²).

903.2.10 Group S-2 enclosed parking garages—Amended.

An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the California Building Code where one of the following conditions exists:

1. Where the fire area of the enclosed parking garage exceeds 5,000 square feet (697m²).
2. Where then enclosed parking garage is located beneath other groups.

903.2.10.1 Commercial parking garages.

An automatic sprinkler system shall be provided throughout buildings used for storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (465 m²).

903.2.10.2 Mechanical-access enclosed parking garages. An approved automatic sprinkler system shall be provided throughout buildings used for the storage of motor vehicles in a mechanical-access enclosed parking garage. The portion of the building that contains the mechanical-access enclosed parking garage shall be protected with a specially engineered automatic sprinkler system.

903.6 Where required in existing buildings and structures-Amended.

The provisions of this section are in addition to those requirements set forth in Chapter 11. Fire sprinklers shall be installed in existing commercial occupancies when any of the following exist:

1. Whenever an addition is made to an existing building causing the total square footage of the building to exceed 5,000 square feet (697 m²). The entire building shall be equipped with sprinklers.
2. When a change in occupancy or use to more hazardous occupancy type occurs, the structure will be required to meet the requirements as set forth for new construction for the new occupancy classification.

In residential occupancies, fire sprinklers shall be installed when there is an addition that result in the fire area square footage exceeding 3600 square feet (334 m²) including any attached U occupancies or garages.

Storage is prohibited in areas designated as residential within the San Leandro city limits.

Section 3. That Ordinance No. 2022-018 of The City of San Leandro entitled [REDACTED] and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the City of San Leandro is hereby ordered and directed to cause this legislation to be published.

Section 7. That this law and the rules, regulations, provisions, requirements, orders and matter established and adopted hereby shall take effect and be in full force and effect from January 1, 2026 to December 31, 2028.

Section 8. The City Council finds that adoption of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA," and 14 Cal. Code Reg. §§ 15000 et seq., "CEQA Guidelines") under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, and in this case it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines § 15061(b)(3)).

Section 9. Government Code Section 50022.2 permits enactment of City Ordinances that adopt codes or statutes, including codes of the State of California, by reference and notice of

the adoption by reference was published in accordance with Government Code Sections 50022.3 and 6066. Said notice was sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

Introduced by Council Member _____ on this _____ day of _____ 2025,
and passed to print by the following called vote:

Members of the Council:

Ayes:

Noes:

Absent:

Attest: _____
City Clerk

Passed and adopted this _____ day of _____, 2025, after publication on
_____, 2025, by the following called vote:

Members of the Council:

Ayes:

Noes:

Absent:

Attest: _____
City Clerk

2716611.1