

## **Article 11: Fire Protection and Prevention**

### **Division 50: Hazardous Materials – General Provisions**

*(“Hazardous Materials – General Provisions” added 1-27-2022  
by O-21409 N.S.; effective 2-26-2022.)*

#### **§511.5001 Hazardous Materials - General Provisions**

- (a) Local Addition. Section 5001.1.2, Hazardous Materials HAZMAT Program Legislative Declaration and Findings, is added as follows:
- (1) The Council of the City of San Diego finds that the advances in technology and the increasing presence and utilization of industry useful, but otherwise hazardous materials within the commercial sector represent an increased hazard to the community and emergency response personnel during emergency situations, particularly during fire suppression activities. The increasing threat to human and environmental safety requires careful planning to maximize effective emergency response. The Council further finds that an expanded fire inspection program is appropriate in order to develop plans for the effective management of fire and related emergency incidents involving materials that pose an otherwise unusual or extra hazard to public safety.
- (2) To accomplish these objectives, the City Council hereby establishes the Hazardous Materials (HAZMAT) Inspection Program. The program shall be administered by the *Fire Code Official* and such assistance as he may designate, under the authority and provisions of the California Fire Code, as adopted by this Article.
- (b) Local Addition. Section 5001.1.3, Purpose of HAZMAT Program, is added as follows:

The purpose of the HAZMAT Inspection Program is to:

- (1) Inspect occupancies, as defined in the Fire Code, within the City of San Diego, to determine the type, quantity, and location of hazardous materials which may be present, and the scope of risk presented by the presence of such materials.
- (2) Create HAZMAT action programs for the optimum containment, suppression and management of incendiary and related emergency response incidents involving such occupancies and materials.

- (3) Compile and analyze information relative to such materials and occupancies in fulfillment of the purposes set forth in this section.
- (c) Local Addition. Section 5001.1.4, HAZMAT Inspections, is added as follows:
- (1) The *Fire Code Official* shall cause periodic HAZMAT inspections to be made of occupancies, such as buildings, structures and installations, within the City of San Diego and determine whether hazardous material exists.
- (2) During any inspection, the *Fire Code Official* or authorized representative may request the following information from the owner, or other persons having charge or control of any building, structure or installation: (1) a listing of any hazardous material, as defined in the California Fire Code by either its chemical or common name or by description of the relevant chemical properties which render it hazardous; (2) a description of where such hazardous materials are normally located in the building, structure or installation.
- The owner, or other persons having charge or control of the premises shall provide information requested under this section within 15 days.
- (3) It shall be unlawful for the owner, or other persons having charge or control of the premises to refuse to provide information requested pursuant to this section, to provide false information, or to refuse entry to the *Fire Code Official* or authorized representative when presented with a legally issued inspection warrant after notice is provided as required by law.
- (“Hazardous Materials – General Provisions” added 1-27-2022 by O-21409 N.S.; effective 2-26-2022.)  
(Amended 3-7-2023 by O-21614 N.S.; effective 4-6-2023.)