ORDINANCE 2195

ORDINANCE REPEALING CHAPTER 6, BUILDING REGULATIONS, AND CHAPTER 9, FIRE PREVENTION AND PROTECTION, OF THE TOWN OF LOS GATOS MUNICIPAL CODE AND ADOPTING AND AMENDING NEW 2010 CALIFORNIA BUILDING AND FIRE CODES

WHEREAS, every three years, 14 State of California agencies review, amend and propose model codes to be adopted by the Building Standards Commission; and

WHEREAS, the California Building Standards Commission completed the adoption and approval of eleven new building codes on January 15, 2010 and local jurisdictions are required to adopt these codes by January 1, 2011; and

WHEREAS, the Town of Los Gatos is proposing to adopt and amend Part 1, the California Administrative Code to address administrative provisions; and

WHEREAS, the Town of Los Gatos is proposing to adopt the California Building Standards Codes as Chapter 6 and the California Fire Code as Chapter 9 of the Town Code and to make amendments to address climatic, topographic and geological conditions; and

WHEREAS, the Town of Los Gatos is proposing to adopt the 2009 International Property Maintenance Code and portions of the 2009 International Existing Building Code to provide procedures for the maintenance, repair and demolition of existing buildings; and

WHEREAS, the Town of Los Gatos, in adopting these codes will be consistent with the State of California and other local municipalities.

THE TOWN COUNCIL OF THE TOWN OF LOS GATOS ORDAINS AS FOLLOWS:

SECTION I

CHAPTER 6 IS DELETED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING:

ARTICLE I. IN GENERAL (reserved)

ARTICLE II. ADMINISTRATION OF CODES

Sec. 6.20.010. Conflicting provisions.
When any provisions of the administrative sections of the codes adopted in this Chapter 6 are in conflict with the administrative provisions found in the California Administrative or Building Codes, the California Administrative and Building Codes shall apply. If any code adopted in this Chapter does not include administrative provisions, the administrative provisions of the California Building Codes shall apply.

ARTICLE III. BUILDING CODE

Sec. 6.30.010. Adopted.

The 2009 International Building Code (IBC) as amended by the State of California Building Standards Commission and known as the 2010 California Building Code (CBC), CCR Title 24, Part 2, Volumes 1 and 2, with Appendix Chapters B, I and J, with modifications provided in sections 6.30.020 through 6.30.180 of this article, is adopted by reference.

The 2010 California Administrative Code, California Code of Regulations, Title 24, Part 1, is also adopted by reference.

Sec. 6.30.020. Fire Protection Systems

Section 901.2 of the California Building Code adopted by this article is amended to read as follows:

Fire Protection Systems. Fire protection systems shall be installed, repaired, operated and maintained in accordance with this code and the California Fire Code as amended by the Town of Los Gatos.

Sec. 6.30.030. Roof Drainage

Section 1503.4 of the California Building Code adopted by this article is amended to add Section 1503.4.4:

Over Public Property.
Roof Drainage water from a building shall not be permitted to flow over public property.

Exception(s): 1) Group R, Division 3 and Group U Occupancies
2) Other occupancies where the drainage plan and method of drainage have been approved by the "Building Official"

Sec. 6.30.040. Roof Covering Requirements in a Wildland-Urban Interface Fire Area and other areas.

Section 1505.1.4 of the California Building Code adopted by this article is amended to add the following Subsection:

1505.1.4.1 Roofing coverings within Wildland-Urban Interface Fire Area.
The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

Section 1501.1.3 is amended to read:

1505.1.3 Roof coverings in all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be fire-retardant roof covering that is at least Class A.

Section 707A.8 is amended to read as follows: Delete a portion of the first sentence;
707A.8 Underside of appendages. ~~When required by the enforcing agency,~~ The underside of overhang appendages shall be enclosed to grade in accordance with the requirements of this chapter or the underside of exposed underfloor shall consist of one of the following:

1. Noncombustible material
2. Ignition-resistant material
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering on the underside of the floor projection
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the floor including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual
5. The underside of a floor assembly that meets the performance criteria in accordance with the test procedure set forth in SFM Standard 12-7A-3

Exception: Heavy timber structural columns and beams do not require protection.

Section 710A.3.2 is deleted in its entirety.
~~**710A.3.2** When required by the enforcing agency, detached accessory structures within 50 feet of an applicable building shall comply with the requirements of this section.~~

Section 710A.4 is amended to read as follows:
710A.4. Requirements. ~~When required by the enforcing agency,~~ Accessory structures shall be constructed of noncombustible or ignition-resistant materials.

Sec. 6.30.050. Modifications to ASCE 7
Section 1613.8 is added to 2010 CBC Section 1613 to read as follows:

1613.8, ASCE 7, Section 12.8.7. Modify ASCE 7, Section 12.8.7 by amending Equation 12.8-16 as follows:

$$\theta = \frac{P_x \Delta I}{V_x h_{sx} C_d}$$

Sections 1616, 1616.1, 1616.1.3 and 1616.1.7 are added to Chapter 16 of the 2010 California Building Code to read as follows;

1616. Modification to ASCE

1616.1 General. The text of ASCE 7 shall be modified as indicated in this Section.

1616.1.3 ASCE 7, Section 12.8.1.1. Modify ASCE 7 Section 12.8.1.1 by amending Equation 12.8-5 as follows;

$C_S = 0.044 S_{DS} I \geq 0.01$ (Equation 12.8-5)

1616.1.7 ASCE 7, Section 12.12.3. Replace ASCE 7 Section 12.12.3 as follows:

12.12.3 Minimum Building Separation. All structures shall be separated from adjoining structures. Separations shall follow for the maximum inelastic response displacement (Δ_M). Δ_M shall be determined at critical locations with consideration for both translational and torsional displacements of the structure as follows:

$$\Delta_M = C_d \delta_{max} \quad \text{(Equation 16-45)}$$

Where δ_{max} is the calculated maximum displacement at level x as defined in ASCE 7 Section 12.8.4.3.

Adjacent buildings on the same property shall be separated by at least a distance Δ_{MT}, where

$$\Delta_{MT} = \sqrt{(\Delta_{M1})^2 + (\Delta_{M2})^2} \quad \text{(Equation 16-46)}$$

And Δ_{M1} and Δ_{M2} are the maximum inelastic response displacements of the adjacent buildings.

Where a structure adjoins a property line not common to a public way, the structure shall also be set back from the property line by at least the displacement, Δ_M, of that structure.

Exception: Smaller separations or property line setbacks shall be permitted when justified by rational analyses.

Sec. 6.30.060. Concrete Strength
Section 1704.4, Exception 1 of the California Building Code adopted by this article is amended to read as follows:

Exceptions: *Special Inspections* shall not be required for:
1. Isolated spread concrete footings of buildings three stories or less above *grade plane* that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'c, no greater than 2,500 pounds per square inch (psi) or less.

Sec. 6.30.070. Modification to ACI 318
Section 1908.1 is amended to read as shown below, Section 1908.1.8 ACI 318, Section 22.10.1 is deleted and replaced, and Section 1908.1.17 is added to Chapter 19 of the 2010 California Building Code to read as follows:

1908.1 General. The text of ACI 318 shall be modified as indicated in Sections 1908.1.1 through 1908.1.17.

1908.1.8 ACI 318, Section 22.10 Delete ACI 318, Section 22.10, and replace with the following:

22.10 – Plain concrete in structures assigned to Seismic Design Category C, D, E or F.
22.10.1 – Structures assigned to Seismic Design Category C, D, E or F shall not Have elements of structural plain concrete, except as follows:
~~Structural plain concrete basement, foundation or other walls below the base are permitted in detached one-and-two-family dwellings three stories or less in height constructed with stud bearing walls. In dwellings assigned to Seismic Design Category D or E, the height of the wall shall not exceed 8 feet (2438 mm), the thickness shall not be less than 7 ½ inches (190 mm), and the wall shall retain no more than 4 feet (1219 mm) of unbalanced fill. Walls shall have reinforcement in accordance with 22.6.6.5.~~

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.
Exception: In detached one and two-family dwellings, three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

(b) Plain concrete footings supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. ~~For footings that exceed 8 inches (203 mm) in thickness,~~ A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception:

1. In detached one and two-family dwellings, three stories or less in height, and constructed with stud bearing walls, plain concrete footings ~~without longitudinal reinforcement supporting walls are permitted.~~ with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.
2. ~~For foundation systems consisting of a plain concrete stem wall, a minimum of one bar shall be provided at the top of the stem wall and at the bottom of the footing.~~
3. ~~Where a slab on ground is cast monolithically with the footing, one No. 5 bar is permitted to be located at either the top of the slab or bottom of the footing.~~

Sec. 6.30.080. Bracing

Section 2308.9.3 of the California Building Code adopted by this article is amended by deleting Item(s) 1, 2, 4, 5 and 7.

Sec. 6.30.090. IBC Oversight

The California adoption of the new 2009 International Building Code has inadvertently eliminated some construction requirements by oversight or erroneous reference to another code. In cases where the code adoption has inadvertently deleted or missed referenced necessary construction requirements, the Town of Los Gatos Building Official may authorize use of construction requirements from the last previously adopted International Codes.

Sec. 6.30.100. Information on construction documents.

Administration Chapter 1, Section 107.2.1 of the 2010 California Building Code adopted by this article is amended to have the first sentence modified to read as follows:

Construction documents shall be dimensioned, to scale, and drawn upon suitable material unless construction is minor in nature and approval obtained from the Building Official.

Sec. 6.30.170. Schedule of permit fees

Administration Chapter 1, Section 109.2 of the 2010 California Building Code adopted by this article states that " ... a fee for each permit shall be as required, in accordance with the schedule established by the applicable governing authority (Town of Los Gatos).

109.7 Plan Review Fees

Add Section 109.7 as follows: When submittal documents are required by Section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee.
The plan review fees specified in this section are separate fees from the permit fees and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.2, an additional plan review fee shall be charged per the hour plan review rate as adopted by the Town of Los Gatos.

Sec. 6.30.180. Refunds
Administration Chapter 1, Section 109.6 of the 2010 California Building Code adopted by this article is amended to add Section 109.6.1:

109.6.1 Refunds
The building official may authorize refunds of Building Division fees which were erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work or inspections has been done under a permit issued.

The building official may authorize refunding of not more than 80 percent of the collected plan review fee when the plan check application is withdrawn or cancelled prior to any plan review work being done.

The building official shall not authorize refunding of any collected fee until written request for refund by the original permittee or applicant is received. Requests must be received no later than 180 days after the date of fee payment.

ARTICLE IV. PLUMBING CODE

Sec. 6.40.010. Adopted.
The Uniform Plumbing Code, 2009 Edition, as amended in 2010 by the State of California Building Standards Commission, California Code of Regulations, Title 24, Part 5 with Appendix Chapters A, B, D, G, and I is adopted.

Sec. 6.40.020. Backflow protection.
Subsection 710.1 of the Uniform Plumbing Code adopted by this article is amended to read as follows:
710.1 Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Administrative Authority.

ARTICLE V. MECHANICAL CODE

Sec. 6.50.010. Adopted.
The Uniform Mechanical Code (UMC), 2009 Edition, amended in 2010 by the State of California Building Standards Commission, CCR Title 24, Part 4 with Appendix Chapters A and B is adopted by reference.

ARTICLE VI. ELECTRICAL CODE

Sec. 6.60.010. Adopted.
The National Electrical Code, 2008 Edition, as amended in 2010 by the State of California Building Standards Commission, CCR Title 24, Part 3 is adopted by reference.

ARTICLE VII. ENERGY CODE

Sec. 6.70.010. Adopted.
The 2010 California Energy Code, CCR Title 24, Part 6 is adopted by reference

ARTICLE VIII. REFERENCE STANDARDS CODE

Sec. 6.80.010. Adopted.
The 2010 California Referenced Standards Code, CCR Title 24, Part 12, is adopted by reference.

ARTICLE IX. HISTORICAL BUILDING CODE

Sec. 6.90.010. Adopted.
The 2010 California Historical Building Code, CCR Title 24, Part 8 including Appendix A is adopted by reference.

ARTICLE X. EXISTING BUILDING CODE

Sec. 6.100.010. Adopted.
The 2009 International Existing Building Code (IEBC), specifically Appendix Chapter A1, as amended in by the State of California Building Standards Commission and known as the 2010 California Existing Building Code CCR Title 24, Part 10, is adopted by reference.

Sec. 6.100.020. Additional Chapters Adopted.
The following Chapters of the 2009 International Existing Building Code, as published by the International Code Council (ICC) are also adopted:
Chapter 9
Chapter 14
Appendix A2
Appendix A3
Appendix A4
Appendix A5

ARTICLE XI. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 6.110.010. Adopted.
The 2009 International Property Maintenance Code, as published by International Code Council (ICC), is adopted by reference.

Sec. 6.110.020. Application of other codes
Subsection 102.3 of 2009 International Property Maintenance Code adopted by this article is amended to read as follows:

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provision of the California Building Code, California Plumbing Code, California Electrical Code and California Mechanical Code. Nothing in this code shall be construed to cancel, modify or set aside any provisions of the Town of Los Gatos Zoning Code.

ARTICLE XII. CALIFORNIA GREEN BUILDING STANDARDS CODE

Sec. 6.120.010. Adopted.
Chapters 1 through 8 of the 2010 California Green Building Standards Code, "CALGreen", are adopted by reference. These are the unmodified Mandatory Measures and Compliance Forms.

ARTICLE XIII.

Sec. 6.130.010. Reserved.

ARTICLE XIV. BUILDING RELOCATION CODE OF THE TOWN

DIVISION 1. GENERALLY

Sec. 6.140.010. Title.
This article is the Building Relocation Code of the Town of Los Gatos.

Sec. 6.140.020. Interference with demolition or removal of building.
It shall be unlawful for any person to interfere with or obstruct the Building Official, any person engaged by the Town, or any representative of any surety, engaged in inspection or in the work of completing, demolishing, or removing any building or structure for which a building relocation permit has been issued under Division 2 of this article, after a default has occurred in timely completion of the work or in the performance of the other terms or conditions of the permit.

DIVISION 2. PERMIT*

Sec. 6.140.030. Required, exceptions.
It shall be unlawful for any person to move any building or structure on any parcel of land in the Town (except a contractor's tool house, construction building or similar structure which is moved as construction work requires) without first obtaining a permit and posting a bond as provided in this article.

Sec. 6.140.040. Application.
An application for a permit required by the provisions of this division shall be made in writing on the form provided by the Town. The application shall:
(1) Be signed by the permittee or the permittee's authorized agent (who may be required to submit evidence proving authority);
(2) Be accompanied by plans, photographs or other substantiating data as reasonably may be required by the Building Official; and
(3) Contain such information as reasonably may be required by the Building Official in order to carry out the purposes of this chapter.

Sec. 6.140.050. Review of application, duty of applicant.
The application for a permit required by the provisions of this division, including the plans and other data filed with it, shall be checked by the Building Official, who is authorized to conduct any investigation in connection therewith may be deemed reasonably necessary. If, when the Building Official has completed such investigation and has notified the applicant that a permit will issue, the applicant fails for a period of sixty (60) days to post the bond and any other instrument required by this division, the application shall become void.

Sec. 6.140.060. Issuance, fees.
(a) Subject to the requirements contained in this article, if in the judgment of the Building Official the conditions of the building or structure can be effectively and practically repaired or restored to comply with this Code, the Building Official shall issue a permit to the owner of the property where the building or structure is to be located.
(b) A permit fee shall be paid at the time of issuance of the permit. The amount of the fee shall be fixed by resolution of the Town Council.

Sec. 6.140.070. When issuance prohibited.
The Building Official shall not issue a permit under this division for any building or structure:

(1) Which does not or cannot be repaired or modified to comply with this code, as it presently exists or hereafter may be amended;
(2) Which is so constructed or in such condition as to be a substandard building;
(3) Which is infested with pests or is unsanitary;
(4) Which is so dilapidated, defective, unsightly, or in such a condition of deterioration or disrepair that its relocation at the proposed site would cause appreciable harm to or be materially detrimental to the existing improvements on nearby property;
(5) If the proposed use is prohibited by the zoning ordinance;
(6) If the structure is of a type prohibited at the site of the proposed relocation by this code, or any other statute or ordinance; or
(7) If the structure or site has not received approval as prescribed in sections 29.20.140 through 29.20.155 of the Town Code. The body granting such approval shall first consider and determine that the proposed site and building are compatible in use, size and architecture with other buildings and structures in the area of the proposed relocation.

Sec. 6.140.080. Conditions of issuance.
In connection with the issuance of any permit under this division, the Building Official or the body granting architecture and site approval or both may attach to the permit such conditions which are necessary to assure compliance with the purposes of this article and the zoning ordinance, and to assure that the building or structure when relocated will be compatible with and not detrimental or injurious to the buildings or structures in the area of the proposed relocation. Such conditions may include, but are not limited to:
(1) A limitation of the period of time required to complete the work of relocation;
(2) Requirements for changes, alterations, additions or repairs;
(3) The providing of all utility services by the time the building relocation is finished;
(4) Provision for any improvement work or dedication provided for by the zoning ordinance;
(5) The applicant's written agreement to indemnify the Town for any and all damages or injury to Town property incurred in the course of the moving, including but not limited to damage or injury to streets, thoroughfares, pavements, curbs, gutters, sidewalks, sewers, public lighting equipment and plants.

Sec. 6.140.090. Bond required.
(a) As a condition precedent to the issuance of any building relocation permit, the applicant shall post a surety bond, the form of which is subject to approval by the Town Attorney, issued by a surety company conducting business in the State. The penal sum of the bond shall be an amount equal to the estimated cost, plus ten (10) percent, of all the work required to perform the relocation to comply with all of the conditions of the permit. The cost estimate is made by the Building Official.
(b) The applicant, in lieu of posting a surety bond, may deposit with the town an amount equal to the required bond amount, in cash.

Sec. 6.140.100. Conditions of bond.
A surety bond shall contain, and any deposit shall be subject to, the following conditions:
(1) All work, including performance of conditions of the permit (except for performance of conditions such as street improvements when provision is made in a contract with the

Town to do the work at a later time) shall be performed and completed within one hundred twenty (120) days after the date of issuance of the permit. After that time, the permit expires.
(2) The time limit and expiration date of the permit may be extended for good cause after written request of both the principal and the surety. The request may be made either during or after the one-hundred-twenty-day period. If the Building Official decides to grant the request the Building Official shall notify the principal and surety in writing stating the new deadline. The Building Official need not grant the request if the work is not being done continuously and diligently, or if reasonable progress has not been made.
(3) The term of each bond shall begin on the date the bond instrument is delivered to the town, and shall end upon the acceptance by the Building Official of performance of all the terms and conditions of the permit as satisfactory and complete.
(4) The Building Official, the surety and their representatives shall have access to the premises to inspect the progress of the work.
(5) Upon default by the principal, the surety shall be required to complete the work and to perform all conditions of the permit. The principal shall give the surety right-of-entry onto the site for those purposes.
(6) In the event of any default in the performance of any term or condition of the permit, or failure to complete the work before the permit expires, the surety or any person employed or engaged on its behalf, or the building official, or any person employed or engaged on behalf of the Town may go on the premises to complete the required work or to remove or demolish the building or structure, and clear, clean and restore the site.

Sec. 6.140.110. Default on bond.
(a) If the permittee as principal on the bond defaults in the performance of the conditions required by the permit, or fails to complete the work before the permit expires, the Building Official shall give notice in writing to the principal and the surety, stating the conditions which have not been complied with and the period of time deemed by the Building Official to be reasonably necessary for the completion of the work.
(b) After receipt of the notice, the surety, within the time therein specified, shall finish the work. When the principal has defaulted in any way, the surety, at its option, in lieu of completing the work required, may remove or demolish the building or structure and clear, clean and restore the site.

Sec. 6.140.120. Bond other than surety bond--Default.
If a deposit has been made as provided in Section 6.140.090, the Building Official shall give notice of default, as provided in section 6.140.110, to the permittee. If the permittee does not perform within the time specified in the notice, the Building Official shall proceed without delay and without further notice or proceeding whatever to use the deposit, or any portion of the deposit necessary to cause the required work to be done by contract or otherwise at the Building Official's discretion, upon the completion of the work. The balance, if any, of the deposit, shall be returned to the depositor or to the depositor's successors or assigns after deducting the cost of the work plus ten (10) percent of the cost, which is an amount to defray the Town's cost in enforcement and administration.

Sec. 6.140.130. Same--Release.
When a deposit has been made as provided in Section 6.140.090 and all requirements of the permit have been completed, the Building Official shall return the deposit to the depositor or to the depositor's successors or assigns, except any portion thereof that may have been used or deducted as provided in this section.

ARTICLE XV. CALIFORNIA RESIDENTIAL BUILDING CODE

Sec. 6.150.010. Adopted
The 2010 California Residential Code, California Code of Regulations, Title 24, Part 2.5 is adopted by reference including Appendices A, B, C, D, E, G, H, J, K, O, P, and Q and as locally modified by the following Sections of this Article.

Sec. 6.150.020. Fire Protection Amendments

Section R313.1 is amended to read:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in all new townhouses and in existing townhouses when additions are made that increase the building area to more than 3,600 square feet. **Exception:** A one-time addition to an existing building that does not total more than 1000 square feet of building area.

Section R313.2 is amended to read:

R313.2 One- and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows:

1. In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 square feet.
   Exception: A one-time addition to an existing building that does not total more than 1000 square feet of building area.

2. In all basements and in existing basements that are expanded.
   Exception: Existing basements that are expanded by not more than 50%.

Section R327.7.9 is amended as follows: Delete, "When required by the enforcing agency,".

Section R327.10.3.2 is deleted in its entirety.

Section R327.10.4 is amended as follows: Delete, "When required by the enforcing agency,".

Section R902.1.4.1 is added to read:

R902.1.4.1 Roofing coverings within the Wildland-Urban Interface Fire Area. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

Section 902.1.3 is amended to read:

R902.1.3 Roof coverings in all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

Sec. 6.150.030. Prohibit Plain Concrete in Footings
Section R403.1.3 of the California Residential Code adopted by this Article is amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories Do, D1, and D2, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic design Categories Do, D1, and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook, and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories Do, D1, and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories Do, D1, and D2, masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family *dwellings* which are three stories or less in height and constructed with stud bearing walls, ~~plain concrete footings without longitudinal reinforcement supporting walls and~~ isolated plain concrete footings supporting columns or pedestals are permitted.

Sec. 6.150.040. Limits on methods using Gypsum Board and Cement Plaster
Section R602.10.2.1.1 and Table R602.10.1.2(2) of the California Residential Code adopted by this Article are amended as follows:

Add a new subsection R602.10.2.1.1, to read:

R602.10.2.1.1 Limits on methods Gypsum Board and Portland Cement Plaster.
In Seismic Design Categories Do. D1, and D2 Method Gypsum Board is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories Do, D1, and D2, the use of Method Portland Cement Plaster is limited to one-story single family dwellings and accessory structures.

Add a new footnote "d" to the end of CRC Table R602.10.1.2(2), to read:

d. In Seismic Design Categories Do, D1, and D2, Method Gypsum Board is not permitted and the use of Method Portland Cement Plaster is limited to one-story single family dwellings and accessory structures.

Add the "d" footnote notation in the title of Table R602.10.1.2(2) after the three footnotes currently shown, to read:

TABLE R602.10.1.2(2)[a,b,c,d]

SECTION II

CHAPTER 9, Article III, IS DELETED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING:

Sec. 9.30.005. Adoption of 2010 CFC and 2009 IFC

Adoption of the 2010 California Fire Code and 2009 International Fire Code. There is hereby adopted by the Town for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2010 California Fire Code and also the International Fire Code 2009 Edition, including Appendix Chapters B, C and J and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by this ordinance, of which one copy has been filed for use and examination by the public in the office of the Town Building Official and the Town Fire Chief and the same adopted and incorporated as fully as if set out at length herein, and from January 1, 2011 the provision thereof shall be controlling within the limits of the Town.

Sec. 9.30.010. Establishment of limits of districts in which the storage of stationary tanks of flammable cryogenic fluids are to be prohibited.

The limits referred to in Section 3506.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as all locations of the Town which are residential and congested commercial areas as determined by the fire code official.

Sec. 9.30.015. Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited.

The limits referred to in Section 3404.2.9.6.1 of the California Fire Code, in which the storage of flammable or combustible liquids in aboveground tanks is prohibited are hereby established as all locations of the town that are residential or congested commercial areas as determined by the fire code official.

Sec. 9.30.020. Establishment of limits of districts in which storage of flammable or combustible liquids in aboveground tanks is prohibited.

The limits referred to in Section 3406.2.4.4 of the California Fire Code, in which the storage of flammable or combustible liquids in aboveground tanks is prohibited are hereby established as all locations of the town that are residential or other locations as determined by the fire code official.

Sec. 9.30.025. Establishment of limits in which storage of liquefied petroleum gases is prohibited.

The limits referred to in Section 3804.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as all locations of the Town that are residential or congested commercial areas.
Exceptions: LPG may be used for industrial operations or when natural gas would not provide a viable substitute for LPG. Portable containers for temporary heating and/or cooking uses may be permitted if stored and handled in accordance with this code. Facilities in commercial areas for refueling portable or mobile LGP containers may be approved by the fire code official on a case-by-case basis.

Sec. 9.30.030 General Definitions

The following definitions are added:

CARCINOGEN is a substance that causes the development of cancerous growths in living tissue. A chemical is considered a carcinogen if:

1. It has been evaluated by the International Agency for Research on Cancer and found to be a carcinogen or potential carcinogen, or

2. It is listed as a carcinogen or potential carcinogen in the latest edition of the Annual Report on Carcinogens published by the National Toxicology program, or
3. It is regulated by OSHA as a carcinogen.

DEVICE. Device is, for the purpose of Exhibit "A", an appliance or piece of equipment that plays an active part in the proper functioning of the regulated systems. Examples include, but are not limited to the following: smoke detectors, heat detectors, flame detectors, manual pull stations, horns, alarms, bells, warning lights, hydrants, risers, FDCs, standpipes, strobes, control panels, transponders, and other such equipment used to detect, transmit, initiate, annunciate, alarm, or respond according to the system design criteria.

OTHER HEALTH HAZARD MATERIAL is a hazardous material which affects target organs of the body, including but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage) or teratogens (effect on fetuses).

SENSITIZER is a chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

WORKSTATION is a defined space or independent principal piece of equipment using hazardous materials where a specific function, laboratory procedure or research activity occurs. Approved or listed hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a workstation are included as part of the workstation. A workstation is allowed to contain ventilation equipment, fire protection devices, electrical devices, and other processing and scientific equipment.

GENERAL PRECAUTIONS AGAINST FIRE

Sec. 9.30.040 Vacant Premises

Delete Section: **311.5 Placards.**
Delete Section: **311.5.1 Placard Location.**
Delete Section: **311.5.2 Placard Size And Color.**
Delete Section: **311.5.3 Placard Date.**
Delete Section: **311.5.4 Placard Symbols**
Delete Section: **311.5.5 informational Use**

Sec. 9.30.042 Hazards to Fire Fighters

Add Section 316.6 to read as follows:

316.6 Roof Guardrails at Interior Courts. Roof openings into interior courts that are bounded on all sides by building walls shall be protected with guardrails. The top of the

guardrail shall not be less than 42 inches in height above the adjacent roof surface that can be walked on. Intermediate rails shall be designed and spaced such that a 12-inch diameter sphere cannot pass through.
Exception: Where the roof opening is greater than 600 square feet in area.

Sec. 9.30.045 Fire Safety and Evacuation Plans

Amend Section 404.2 as follows:

404.2 Where Required. An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

1. Group A buildings having an occupant load of 100 or more persons.
2. Group B buildings having an occupant load of 500 or more.
3. Group E: See Sec. 3.13 Title 19, CCR for regulations.
4. Group H.
5. Group I. See Sec. 3.09 Title 19, CCR for regulations.
6. Group R-1. See Sec. 3.09 Title 19, CCR for regulations.
7. Group R-2. college and university buildings.
8. Group R-4.
9. Group M buildings having an occupant load of 500 or more persons.
10. Covered malls exceeding 50,000 square feet (4645 m2) in aggregate floor area.
11. Underground buildings.

Sec. 9.30.050 Evacuation Plans

Amend Section 404.3.1 as follows:

404.3.1 Fire Evacuation Plans. Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only.
2. Description of what the fire alarm, if required, sounds and looks like (audible and visual warning devices).
3. Procedures for employees who must remain to operate critical equipment before evacuating.
4. Procedures for accounting for employees and occupants after evacuation has been completed.
5. Identification and assignment of personnel responsible for rescue or emergency medical aid.
6. The preferred and any alternative means of notifying occupants of a fire or

emergency.

7. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
8. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
9. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

Sec. 9.30.055 Emergency Evacuation Drills

Amend Table 405.2 as follows:

TABLE 405.2
FIRE AND EVACUATION DRILL
FREQUENCY AND PARTICIPATION

GROUP OR OCCUPANCY	FREQUENCY	PARTICIPATION
Group A	Quarterly	Employees
Group B	Annually	Employees
Group E	See §3.09 Title 19, CCR	
Group I	See §3.09 Title 19, CCR	
Group R-1	See §3.09 Title 19, CCR	
Group R-2[b]	Four annually	All occupants
Group R-4	Quarterly on each shift	Employees[b]

b. Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Section 408.10.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.

Sec. 9.30.060 Use and Occupancy-Related Requirements Deleted

Delete Section: **408.2.2 Announcements.**
Delete Section: **408.3.1 First Emergency Evacuation Drill.**
Delete Section: **408.3.2 Emergency Evacuation Drill Deferral.**
Delete Section: **408.3.3 Time Of Day.**
Delete Section: **408.3.4 Assembly Points.**
Delete Section: **408.5.1 Fire Safety And Evacuation Plan.**
Delete Section: **408.5.2 Staff Training.**
Delete Section: **408.5.3 Resident Training.**
Delete Section: **408.5.4 Drill Frequency.**
Delete Section: **408.5.5 Resident Participation.**
Delete Section: **408.6 Group I-2 Occupancies.**
Delete Section: **408.6.1 Evacuation Not Required.**

Delete Section: **408.6.2 Coded Alarm Signal.**
Delete Section: **408.7 Group I-3 Occupancies.**
Delete Section: **408.7.1 Employee Training.**
Delete Section: **408.7.2 Staffing.**
Delete Section: **408.7.3 Notification.**
Delete Section: **408.7.4 Keys**
Delete Section: **408.8 Group R-1 Occupancies.**
Delete Section: **408.8.1 Evacuation Diagrams**
Delete Section: **408.8.2 Emergency Duties.**
Delete Section: **408.8.3 Fire Safety And Evacuation Instructions.**

Sec. 9.30.065 Group R-2 Occupancies

Amend Section 408.9 to read:

408.9 Group R-2 Occupancies. Group R-2 occupancies shall comply with the requirements of Sections 408.9.1 through 408.9.3 and Sections 401 through 406. Group R-2 college and university buildings shall comply with the requirements of Sections 408.9.1 through 408.9.6 and Sections 401 through 406.

Sec. 9.30.070 First Emergency Evacuation Drill

Add Section 408.9.4 to read:

408.9.4 First Emergency Evacuation Drill. The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes.

Sec. 9.30.075 Time of Day

Add Section 408.9.5 to read:

408.9.5 Time of Day. Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires. In Group R2 college and university buildings, one required drill shall be held during hours after sunset or before sunrise.

Delete Section: **408.10 Group R-4 Occupancies.**
Delete Section: **408.10.1 Fire Safety And Evacuation Plan.**
Delete Section: **408.10.2 Staff Training.**
Delete Section: **408.10.3 Resident Training.**
Delete Section: **408.10.4 Drill Frequency.**
Delete Section: **408.10.5 Resident Participation.**

Sec. 9.30.080 Revisions to Covered Mall Buildings Lease Plans

Amend Section 408.11.1.2 to read:

408.11.1.2 Revisions. The lease plans shall be revised annually or as often as necessary to keep them current. ~~Modifications or changes in tenants or occupancies shall not be made without prior approval of the fire code official and building official.~~

FIRE SERVICE FEATURES

Sec. 9.30.085 Fire Apparatus Access Roads

Amend Section 503.1 as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.2 and as per Fire Department access road Standards.

Amend Section 503.1.1 as follows:

503.1.1 Buildings and Facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions:

1. When the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3, the dimension may be increased to 300 feet.
2. When fire apparatus roads cannot be installed because of topography, waterways, nonnegotiable grades or other similar conditions, an approved alternative means of fire protection shall be provided.

Amend Section 503.2.1 as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of 13 feet 6 inches (4115 mm).

Exception:

When there are not more than two Group R, Division 3, or Group U occupancies, the access road width may be modified by the fire code official.

Sec. 9.30.090 Access to Buildings and Roofs

Add Section 504.4 to read:

504.4 Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the fire code official. All electrically powered access control devices shall be provided with an approved means for deactivation or unlocking from a single location or otherwise approved by the fire department.

Access control devices shall also comply with Chapter 10 Egress.

EMERGENCY RESPONDER RADIO COVERAGE

Sec. 9.30.100 Emergency Communications Systems

Amend Section 510.1 to read:

510.1 Emergency responder radio coverage in buildings. All buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communications system of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communications system. Emergency responder radio coverage systems shall be installed in accordance with Section 510 and appendix J.

Add Section 510.1.1 as follows:

510.1.1 Obstruction by new buildings. When in the opinion of the fire code official, a new structure obstructs the line of sight of emergency radio communications to existing buildings or to any other locations, the developer of the new structure shall provide and install the radio retransmission equipment necessary to restore communication capabilities. The equipment shall be located in an approved space or area within the new structure.

ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

Sec. 9.30.110 Immersion Heaters

Add Section 605.11 to read:

605.11 Immersion Heaters. All electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

STATIONARY STORAGE BATTERY SYSTEMS

Sec. 9.30.115 Failure of Ventilation Systems

Add Section 608.6.3 to read:

608.6.3 Failure of Ventilation System. Failure of the ventilation system shall automatically disengage the charging system.

Sec. 9.30.118 Decorative Vegetation in New and Existing Buildings

Amend Section 806.1.1 to read as follows:

806.1.1 Display of Decorative Vegetation inside buildings. The display of Christmas trees and other decorative vegetation in new and existing buildings shall be in accordance with the California Code of Regulations, Title 19, Division 1, Section 3.08 and Sections 806.1 through 806.5.

FIRE PROTECTION SYSTEMS

Sec. 9.30.120 Automatic Sprinkler Systems Where Required

Amend Section 903.2 as follows:

903.2 Where Required. Approved automatic sprinkler systems in new buildings and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 9032.18 whichever is the more restrictive.

For the purposes of this Section, firewalls used to separate building areas shall be constructed in accordance with the California building Code and shall be without openings or penetrations.

1. An automatic fire sprinkler system shall be provided throughout all new buildings and structures.

   Exceptions:
   1. Group A, B, E, F, I, L, M, S and U occupancy buildings and structures that do not exceed 1,000 square feet of building area and that are not located in the Wildland-Urban Interface Fire Area.
   2. Group A, B, E, F, I, L, M, Sand U occupancy buildings and structures that are located in the Wildland-Urban Interface fire Area and do not exceed 500 square feet of building area.

2. An automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or additions are made that create conditions described in Sections 903.2.2 through 903.2.18.

3. An automatic sprinkler system shall be provided throughout existing buildings and structures, when additions are made that increase the building area to more than 3,600 square feet.

   Exception: A one-time addition to an existing building that does not total more than 1000 square feet of building area.

4. An automatic fire sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.

Sec. 9.30.125 Automatic Sprinkler System Installation Requirements

Amend section 903.3.1.1 to read as follows:

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, the sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1 and local standards.

1. For new buildings having no designated use or tenant, the minimum sprinkler design density shall be Ordinary Hazard Group 2.

Amend Section 903.3.1.2 to read:

903.3.1.2 NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R and local standards.

Amend Section 903.3.1.3 to read:

903.3.1.3 NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one- and two-family dwellings and townhouses shall be installed throughout in accordance with NFPA 13D and local standards.

Amend Section 912.2 to read:

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 building for other fire apparatus. The location of fire department connections shall be approved by the fire code official.

FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

Sec. 9.30.130 Fire Walls

Add Section 1404.8 to read:

1404.8 Fire Walls. When firewalls are required, the wall construction shall be completed (with all openings protected) immediately after the building is sufficiently weather-protected at the location of the wall(s).

Sec. 9.30.135 Means of Egress

Amend Section 1411.1 as follows:

1411.1 Stairways Required. Each level above the first story in new multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

> **Exception:** For new multi-story buildings, one of the required exit stairs may be obstructed on not more than two contiguous floor levels for the purposes of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

Sec. 9.30.140 Required Means of Egress

Add Section 1411.1.1 to read:

Section 1411.1.1 Required Means Of Egress. All new buildings under construction shall have a least one unobstructed means of egress. All means of egress shall be identified in the Fire Protection Plan, see Section 1408.2.

SEMICONDUCTOR FABRICATION FACILITIES

Sec. 9.30.145 Definition Continuous Gas Detection System

Amend the following definition to read:

CONTINUOUS GAS DETECTION SYSTEM. An approved gas detection system where the analytical instrument is maintained in continuous operation and sampling is performed without interruption. Analysis is allowed to be performed on a cyclical basis at intervals not to exceed 30 minutes. In occupied areas where air is re-circulated and not exhausted to a treatment system (e.g. breathing zone), the Chief may require a cyclical basis at intervals not to exceed 5 minutes. The gas detection system shall be able to detect

the presence of a gas at or below the permissible exposure limit in occupiable areas and at or below ½ IDLH (or 0.05 LC 50 if no established IDLH) in unoccupiable areas.

Delete Definition: **Workstation.**

STORAGE OF WOOD CHIPS AND HOGGED MATERIAL ASSOCIATED WITH TIMBER AND LUMBER PRODUCTION FACILITIES

Sec. 9.30.150 Fire Protection Water Supply System-Lumber yards

Add Section 1907.6 to read:

1907.6 Fire Protection Water Supply System. An approved fire protection water supply and hydrant system suitable for the fire hazard involved shall be provided for open storage yards and processing areas. Hydrant systems shall be installed in accordance with NFPA 24.

STORAGE AND PROCESSING OF WOOD CHIPS, HOGGED MATERIALS, FINES, COMPOST AND RAW PRODUCT ASSOCIATED WITH YARD WASTE AND RECYCLING FACILITIES

Sec. 9.30.160 Fire Protection Water Supply System-Recycling Facilities

Add Section 1908.11 to read:

1908.11 Fire Protection Water Supply System. An approved fire protection water supply and hydrant system suitable for the fire hazard involved shall be provided for open storage yards and processing areas. Hydrant systems shall be installed in accordance with NFPA 24.

HAZARDOUS MATERIALS

GENERAL

Sec. 9.30.165 Health Hazards

Amend Section 2701.2.2.2 to read:

2701.2.2.2 Health Hazards The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.

1. Highly toxic, toxic and moderately toxic.
2. Corrosive materials.
3. Other health hazards including carcinogens, irritants and sensitizers.

DEFINITIONS

Sec. 9.30.170 Secondary Containment Definition

Add the following definition to read:

SECONDARY CONTAINMENT. Secondary containment is that level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a period of time reasonably necessary to ensure detection and remedy of the primary containment failure.

GENERAL REQUIREMENTS

Sec. 9.30.175 Toxic, Highly Toxic, Moderately Toxic Gases and Similarly Used or Handled Materials

Add Section 2703.1.3.1 to read:

2703.1.3.1 Toxic, Highly Toxic, Moderately Toxic Gases And Similarly Used Or Handled Materials. The storage, use and handling of toxic, highly toxic and moderately toxic gases in amounts exceeding Table 3704.2 or 3704.3 shall be in accordance with this Chapter and Chapter 37. Any toxic, highly toxic or moderately toxic material that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic or moderately toxic gases.

Add Section 2703.1.5 to read:

2703.1.5 Other Health Hazards including Carcinogens, Irritants and Sensitizers. The storage, use and handling of materials classified as other health hazards including carcinogens, irritants and sensitizers in amounts exceeding 810 cubic feet for gases, 55 gallons for liquids, and 5,000 pounds for solids shall be in accordance with this Section 2703.

Sec. 9.30.180 Secondary Containment Requirements

Add Section 2703.1.6 to read:

2703.1.6 Secondary Containment Requirements. A containment system shall be required for all hazardous materials, which are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger, people, property or the environment. Construction shall be substantial, capable of safely and securely containing a sudden release without discharge. Design criteria shall be performance oriented and constructed of physically and chemically compatible materials to resist degradation and provide structural and functional integrity for a period of time reasonably necessary to ensure detection, mitigation, and repair of the primary system. **Regardless of quantities, secondary containment for outdoor storage areas shall also comply with Section 2704.2.2.4.** Monitoring of secondary containment shall be accordance with Section 2704.2.2.5.

Sec. 9.30.185 Design and Construction of Secondary Containment

Amend Sec. 2703.2.2.1 to read:

2703.2.2.1 Design And Construction. Piping, tubing, valves, fittings and related components used for hazardous materials shall be in accordance with the following:

1. Piping, tubing, valves, fittings and related components shall be designed and fabricated from materials compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they are subject.
2. Piping and tubing shall be identified in accordance with ASME A13.1 and Santa Clara County Fire Chiefs Marking Requirements and Guidelines for Hazardous Materials and Hazardous Waste to indicate the material conveyed.
3. Readily accessible manual valves or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing at the following locations:
   3.1 The point of use.
   3.2 The tank, cylinder or bulk use.
4. Manual emergency shutoff valves and controls for remotely activated emergency shutoff valves shall be identified and the location shall be clearly visible, accessible and indicated by means of a sign.
5. Backflow prevention or check valves shall be provided when the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.
6. Where gases or liquids having a hazard ranking of:
   Health hazard Class 3 or 4
   Flammability Class 4
   Reactivity Class 4
   in accordance with NFPA 704 are carried in pressurized piping above 15 pounds per square inch gauge (psig)(103 Kpa), an approved means of leak detection, emergency shutoff and excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical.
   Exceptions:
   1. Piping for inlet connections designed to prevent backflow.
   2. Piping for pressure relief devices.
7. Secondary containment or equivalent protection from spills shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Tables 3704.2 and 3704.3. Secondary containment includes, but is not limited to double walled piping.
   Exceptions:

1. Secondary containment is not required for toxic corrosive gases if the piping is constructed of inert materials.
2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.

8. Expansion chambers shall be provided between valves whenever the regulated gas may be subjected to thermal expansion. Chambers shall be sized to provide protection for piping and instrumentation and to accommodate the expansion of regulated materials.

Sec. 9.30.190 Additional Regulation for Supply Piping for Health Hazard Materials

Amend Section 2703.2.2.2 to read:

2703.2.2.2 Additional Regulation for Supply Piping for Health Hazard Materials. Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 in accordance with ASME B31.3 and the following:

1. Piping and tubing utilized for the transmission of toxic, highly toxic, or highly volatile corrosive liquids and gases shall have welded, or brazed connections throughout except for connections within an exhausted enclosure if the material is a gas, or an approved method of drainage or containment is provided for connections if the material is a liquid.
2. Piping and tubing shall not be located within corridors, within any portion of a means of egress required to be enclosed in fire-resistance-rated construction or in concealed spaces in areas not classified as Group H Occupancies.

   Exception:
   Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed space above other occupancies when installed in accordance with Section 415.8.6.3 of the California Building Code as required for Group H, Division 5 Occupancies.

3. All primary piping for toxic, highly toxic and moderately toxic gases shall pass a helium leak test of 1x10-9 cubic centimeters/second where practical, or shall pass testing in accordance with an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

Sec. 9.30.195 Unauthorized Discharges

Amend Section 2703.3.1 as follows:

2703.3.1 Unauthorized Discharges. When hazardous materials are released in quantities reportable under state, federal or local regulations or when there is release or a threatened release that presents a threat to health, property or the environment, the fire code official shall be notified immediately in an approved manner and the following procedures required in accordance with Sections 2703.3.1.1 through 2703.3.1.4.

Sec. 9.30.200 Ventilation Ducting

Add Sec. 2703.5.3 to read:

2703.5.2 Ventilation Ducting. Product conveying ducts for venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

Sec. 9.30.205 "H" Occupancies

Add Sec. 2703.5.3 to read:

2703.5.3 "H" Occupancies. In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

Sec. 9.30.210 Separation of Incompatible Materials

Amend Section 2703.9.8 to read:

2703.9.8 Separation of Incompatible Materials. Incompatible materials in storage and storage of materials that are incompatible with materials in use shall be separated. When the stored materials are in containers having a capacity of more than 5 pounds (2 kg) or 0.5 gallon (2 L), separation shall be accomplished by:

1. Segregating incompatible materials in storage by a distance of not less than 20 feet (6096 mm) and in an independent containment system.
2. Isolating incompatible materials in storage by a noncombustible partition extending not less than 18 inches (457 mm) above and to the sides of the stored material.
3. Storing liquid and solid materials in hazardous material storage cabinets.
4. Storing compressed gases in gas cabinets or exhausted enclosures in accordance with Sections 2703.8.5 and 2703.8.6. Materials that are incompatible shall not be stored within the same cabinet or exhausted enclosure.

Sec. 9.30.215 Fire Extinguishing Systems for Workstations Dispensing, Handling or Using Hazardous Materials

Add Sec. 2703.9.11 to read:

2703.9.11 Fire Extinguishing Systems For Workstations Dispensing, Handling or Using Hazardous Materials. Combustible and non-combustible workstations, which dispense, handle or use hazardous materials, shall be protected by an approved automatic fire extinguishing system in accordance with Section 1803.10.

Exception:
Internal fire protection is not required for Biological Safety Cabinets that carry NSF/ANSI certification where quantities of flammable liquids in use or storage within the cabinet do not exceed 500ml.

STORAGE

Sec. 9.30.220 Spill Control for Hazardous Material Liquids

Amend Section 2704.2.1 as follows:

2704.2.1 Spill Control for Hazardous Material Liquids. Rooms, buildings or areas used for storage of hazardous material liquids shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor locations or similar areas provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems.
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills or dikes are provided, they are not required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.

Sec. 9.30.225 Secondary Containment for Hazardous Material Liquids and Solids

Amend Section 2704.2.2 as follows:

2704.2.2 Secondary Containment for Hazardous Material Liquids and Solids. Buildings, rooms or areas used for the storage of hazardous materials liquids or solids shall be provided with secondary containment in accordance with this section.

Delete Table: **2704.2.2 REQUIRED SECONDARY CONTAINMENT FOR HAZARDOUS MATERIAL SOLIDS AND LIQUIDS STORAGE**

USE, DISPENSING AND HANDLING

Sec. 9.30.230 Emergency Alarm Use, Dispensing and Handling

Amend Sec. 2705.4.4 to read:

2705.4.4 Emergency Alarm. When hazardous materials having a hazard ranking of 3 or 4 in accordance with NFPA 704, or toxic gases exceeding 10 cu. ft. and any amount of highly toxic compressed gases are transported through corridors or exit enclosures, there shall be an emergency telephone system, a local manual alarm station or an approved alarm-initiating device at not more than 150-foot (45,720 mm) intervals and at each exit and exit-access doorway throughout the transport route. The signal shall be relayed to an approved central, proprietary or remote station service or constantly attended on-site location and shall also initiate a local audible alarm.

CORROSIVE MATERIALS

Sec. 9.30.235 Definition of Corrosive Liquid

Add the following definition to read:

CORROSIVE LIQUID. Corrosive liquid is a liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action. Examples include acidic, alkaline or caustic materials. Such material will be considered corrosive when the Ph is 2 or less or 12.5 or more, except for foodstuffs or medicine. Included are Department of Transportation and Title 22, California Code of Regulations, 66261.22 classed corrosives.

EXPLOSIVES AND FIREWORKS

Sec. 9.30.240 Explosives and Fireworks-Scope

Amend Section 3301.1 to read:

3301.1 Scope. For explosives requirements see Title 19 California Code of Regulations Division 1, Chapter 10 and Section 3301.2 of this Chapter. For fireworks requirements see Title 19 California Code of Regulations Division 1, Chapter 6 and Section 3301.3 of this Chapter.

Exceptions:

1. The armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
4. Items preempted by federal regulations.

Sec. 9.30.245 Explosives

Add Section 3301.2 to read:

3301.2 Explosives. The possession, manufacture, storage, sale, handling, and use of explosives are prohibited.

Sec. 9.30.250 Fireworks

Add Section 3301.3 to read:

3301.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.

Exceptions:

1. Storage, handling and use of fireworks and pyrotechnic special effects outside of buildings when used for public or proximate audience displays, motion picture, television, theatrical and group entertainment productions and when in accordance with Title 19 of the California Code of Regulations.
2. Storage, handling and use of pyrotechnic special effects fireworks inside of buildings when used for proximate audience displays or special effects in theatrical, television, motion picture and group entertainment productions when in accordance with Title 19 of the California Code of Regulations and when in buildings equipped throughout with an approved fire sprinkler system.

Sec. 9.30.255 Model Rocketry

Add Section 3301.4 to read:

3301.4 Model Rocketry. The storage, handling, and use of model rockets shall be in accordance with Title 19 of the California Code of Regulations and as approved by the Fire Code Official.

Sec. 9.30.258 Small Arms Ammunition

Add sections 3301.5 through 3301.5.3.2.3 to read:

3301.5 Small Arms Ammunition-General. Indoor storage and display of black powder, smokeless propellants and small arms ammunition shall comply with Sections 3301.5.1 through 3301.5.4.2.3.

3301.5.1 Packages. Smokeless propellants shall be stored in approved shipping containers conforming to DOTn 49 CFR, Part 173.

3301.5.1.1 Repackaging. The bulk repackaging of smokeless propellants, black powder and small arms primers shall not be performed in retail establishments.

3301.5.1.2 Damaged packages. Damaged containers shall not be repackaged.

Exception: Approved repackaging of damaged containers of smokeless propellant into containers of the same type and size as the original container.

3301.5.2 Storage in Group R occupancies. The storage of small arms ammunition in Group R occupancies shall comply with Sections 3301.5.2.1 through 3301.5.2.3.

3301.5.2.1 Smokeless propellants. Smokeless propellants intended for personal use in quantities not exceeding 20 pounds (9kg) are permitted to be stored in Group R-3 occupancies where kept in original containers. Smokeless powder in quantities exceeding 20 pounds (9 kg) but not exceeding 50 pounds (23 kg) are permitted to be stored in Group R-3 occupancies where kept in a wooden box or cabinet having walls of at least 1 inch (25 mm) nominal thickness.

3301.5.2.2 Black powder. Black powder intended for personal use in quantities not exceeding 20 pounds (9 kg) are permitted to be stored in Group R-3 occupancies where kept in original containers and stored in a wooden box or cabinet having walls of at least 1 inch (25mm) nominal thickness.

3301.5.2.3 Small arms primers. No more than 10,000 small arms primers shall be stored in Group R-3 occupancies.

3301.5.3 Display and storage in Group M occupancies. The display and storage of small arms ammunition in Group M occupancies shall comply with Sections 3301.5.3.1 through 3301.5.3.2.3.

3301.5.3.1 Display. The display of small arms ammunition in Group M occupancies shall comply with Sections 3301.5.3.1.1 through 3301.5.3.1.3.

3301.5.3.1.1 Smokeless propellant. No more than 20 pounds (9 kg) of smokeless propellants, each in containers of 1 pound (0.454 kg) or less capacity, shall be displayed in Group M occupancies.

3301.5.3.1.2 Black powder. No more than 1 pound (0.454 kg) of black powder shall be displayed in Group M occupancies.

3301.5.3.1.3 Small arms primers. No more than 10,000 small arms primers shall be displayed in Group M occupancies.

3301.5.3.2 Storage. The storage of small arms ammunition in Group M occupancies shall comply with Sections 3301.5.3.2.1 through 3301.5.3.2.3.

3301.5.3.2.1 Storage of Smokeless propellant. Commercial stocks of smokeless propellants not on display shall not exceed 100 pounds (45 kg). Quantities exceeding 20 pounds (9 kg), but not exceeding 100 pounds (45 kg), shall be stored in portable wooden boxes having walls of at least 1 inch (25 mm) nominal thickness.

3301.5.3.2.2 Black powder. Commercial stocks of black powder not on display shall not exceed 50 pounds (23 kg) and shall be stored in a type 4 indoor magazine. When black powder and smokeless propellants are stored together in the same magazine, the total quantity shall not exceed that permitted for black powder.

3301.5.3.2.3 Small arms primers. Commercial stocks of small arms primers not on display shall not exceed 750,000. Storage shall be arranged such that not more than 100,000 small arms primers are stored in any one pile and piles are at least 15 feet (4572 mm) apart.

FLAMMABLE AND COMBUSTIBLE LIQUIDS

STORAGE

Sec. 9.30.260 Overfill Prevention of Liquid Storage Tanks

Amend section 3404.2.7.5.8 to read:

3404.2.7.5.8 Overfill Prevention. An approved means or method in accordance with Section 3404.2.9.6.6 shall be provided to prevent the overfill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Sections 3406.4 or 3406.7 shall have overfill protection in accordance with API 2350.

An approved means or method in accordance with Section 3404.2.9.7.6 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

Exception: Deleted

Sec. 9.30.265 Automatic Filling of Tanks

Add section 3404.2.7.5.9 to read:

3404.2.7.5.9 Automatic Filling of Tanks. Systems that automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, approved by the fire code official, that sends an alarm signal to a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.

HIGHLY TOXIC AND TOXIC MATERIALS

GENERAL

Sec. 9.30.270 Moderately Toxic Gases

Add Sec. 3701.3 to read:

3701.3 Moderately Toxic Gases With a LC50 Equal To Or Less Than 3000 Parts Per Million. Notwithstanding the hazard class definition in Section 3702, moderately toxic gases with an LC50 less than 3000 parts per million shall additionally comply with the requirements for toxic gases in Section 3704 of this code.

DEFINITIONS

Sec. 9.30.275 Definition of Moderately Toxic Gas

The following definitions are added to read:

MODERATELY TOXIC GAS. Moderately toxic gas is a chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

MAXIMUM THRESHOLD QUANTITY (MAX TQ). Maximum Threshold Quantity (Max TQ) is the maximum quantity of a moderately toxic or toxic gas, which may be stored in a single vessel before a more stringent category of regulation is applied. The following equation shall be used to calculate the Max TQ:

Max TQ (pounds) = LC50 (ppm) x 2 lb.

For Gas Mixtures, the LC50 value for a gas mixture containing one or more toxic, highly toxic or moderately toxic components shall be calculated using CGA Standards P-20 and P-23 as referenced in Appendix E, Section 103.1.3.1

Sec. 9.30.280 Highly Toxic, Toxic and Moderately Toxic Gases

Amend Sec. 3704 to read:

HIGHLY TOXIC, TOXIC AND MODERATELY TOXIC GASES INCLUDING THOSE USED AS REFRIGERANTS

Sec. 9.30.285 Automatic Shut-Off Valve

Add Sec. 3704.1.4 to read:

3704.1.4 Automatic Shut-Off Valve. An automatic shut-off valve, which is of a fail-safe to close design, shall be provided to shut off the supply of highly toxic gases for any of the following:

1. Activation of a manual fire alarm system.
2. Activation of the gas detection system.
3. Failure of emergency power.
4. Failure of primary containment.
5. Seismic activity.
6. Failure of required ventilation.
7. Manual activation at an approved remote location.

Sec. 9.30.290 Emergency Control Station

Add Sec. 3704.1.5 to read:

3704.1.5 Emergency Control Station. Signals from emergency equipment used for highly toxic gases shall be transmitted to an emergency control station or other approved monitoring station, which is continually staffed by trained personnel.

Sec. 9.30.295 Maximum Threshold Quantity

Add Sec. 3704.1.6 to read:

3704.1.6 Maximum Threshold Quantity. Toxic gases stored or used in quantities exceeding the maximum threshold quantity in a single vessel per control area or outdoor control area shall comply with the additional requirements for highly toxic gases of Section 3704 of this code.

Moderately toxic gases stored or used in quantities exceeding the maximum threshold quantity in a single vessel per control area or outdoor control area shall comply with the additional requirements for toxic gases of Section 3704 of this code

Sec. 9.30.300 Reduced Flow Valve

Add Section 3704.1.7 to read:

3704.1.7 Reduced Flow Valve. All containers of materials other than lecture bottles containing Highly Toxic material and having a vapor pressure exceeding 29 psia shall be equipped with a reduced flow valve when available. If a reduced flow valve is not available, the container shall be used with a flow-limiting device. All flow limiting devices shall be part of the valve assembly and visible to the eye when possible; otherwise, they shall be installed as close as possible to the cylinder source.

Sec. 9.30.305 Annual Maintenance

Add Section 3704.1.8 to read:

3704.1.8 Annual Maintenance. All safety control systems at a facility shall be maintained in good working condition and tested not less frequently than annually. Maintenance and testing shall be performed by persons qualified to perform the maintenance and tests. Maintenance records and certifications shall be available to any representative of the Fire Department for inspection upon request.

Sec. 9.30.310 Fire Extinguishing Systems

Add Section 3704.1.9 to read:

3704.1.9 Fire Extinguishing Systems. Buildings and covered exterior areas for storage and use areas of materials regulated by this Chapter shall be protected by an automatic fire sprinkler system in accordance with NFPA 13. The design of the sprinkler system for any room or area where highly toxic, toxic and moderately toxic gases are stored, handled or used shall be in accordance with Section 2704.5.

Sec. 9.30.315 Local Gas Shut-Off

Add Section 3704.1.10 to read:

3704.1.10 Local Gas Shut Off. Manual activation controls shall be provided at locations near the point of use and near the source, as approved by the fire code official. The fire code official may require additional controls at other places, including, but not limited to, the entry to the building, storage or use areas, and emergency control stations. Manual activated shut-off valves shall be of a fail-safe-to-close design.

Sec. 9.30.320 Exhaust Ventilation Monitoring

Add Section 3704.1.11 to read:

3704.1.11 Exhaust Ventilation Monitoring. For highly toxic gases and toxic gases exceeding threshold quantities, a continuous monitoring system shall be provided to assure that the required exhaust ventilation rate is maintained. The monitoring system shall initiate a local alarm. The alarm shall be both visual and audible and shall be designed to provide warning both inside and outside of the interior storage, use, or handling area.

Sec. 9.30.325 Emergency Response Plan

Add Section 3704.1.12 to read:

3704.1.12 Emergency Response Plan. If the preparation of an emergency response plan for the facility is not required by any other law, responsible persons shall prepare, or cause to be prepared, and filed with the fire code official, a written emergency response

plan. If the preparation of an emergency response plan is required by other law, a responsible person shall file a copy of the plan with the Fire Chief.

Sec. 9.30.330 Emergency Response Team

Add Section 3704.1.13 to read:

3704.1.13 Emergency Response Team. Responsible persons shall be designated the on-site emergency response team and trained to be liaison personnel for the Fire Department. These persons shall aid the Fire Department in preplanning emergency responses, identifying locations where regulated materials are stored, handled and used, and be familiar with the chemical nature of such material. An adequate number of personnel for each work shift shall be designated.

Sec. 9.30.335 Emergency Drills

Add Section 3704.1.14 to read:

3704.1.14 Emergency Drills. Emergency drills of the on-site emergency response team shall be conducted on a regular basis but not less than once every three months. Records of drills conducted shall be maintained.

Sec. 9.30.340 Cylinder Leak Testing

Add section 3704.1.15 to read:

3704.1.15 Cylinder Leak Testing. Cylinders shall be tested for leaks immediately upon delivery and again immediately prior to departure. Testing shall be approved by the fire code official in accordance with appropriate nationally recognized industry standards and practices, if any. Appropriate remedial action shall be immediately undertaken when leaks are detected.

Sec. 9.30.345 Inert Gas Purge System

Add Sec. 3704.1.16 to read:

3704.1.16 Inert Gas Purge System. Gas systems shall be provided with dedicated inert gas purge systems. A dedicated inert gas purge system may be used to purge more than one gas, provided the gases are compatible. Purge gas systems inside buildings shall be located in an approved gas cabinet unless the system operates by vacuum demand.

Sec. 9.30.350 Seismic Shutoff Valve

Add Sec. 3704.1.17 to read:
3704.1.17 Seismic Shutoff Valve. An automatic seismic shut-off valve, which is of a fail-safe to close design, shall be provided to shutoff the supply of highly toxic, toxic and

moderately toxic gases with an LC_{50} less than 3000 parts per million upon a seismic event within 5 seconds of a horizontal sinusoidal oscillation having a peak acceleration of 0.3G (1.47m/sec^2) and a period of 0.4 seconds.

Sec. 9.30.355 Indoor Storage and Use

Amend Section 3704.2 to read:

3704.2 Indoor Storage and Use. The indoor storage or use of highly toxic, toxic and moderately toxic compressed gases shall be in accordance with Sections 3704.2.1 through 3704.2.2.10.3.3. The threshold quantity for highly toxic, toxic and moderately toxic gases for indoor storage and use are set forth in Table 3704.2.

Sec. 9.30.360 Threshold Quantities Table

Add Table 3704.2 to read:

Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Indoor Storage and Use	
Highly Toxic	0
Toxic	10 cubic feet
Moderately Toxic	20 cubic feet

Sec. 9.30.365 Applicability of Regulations

Amend Section 3704.2.1 to read:

3704.2.1 Applicability. The applicability of regulations governing the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 3704.2.1.1 through 3704.2.1.3.

Sec. 9.30.370 Quantities Not Exceeding the Maximum Allowable

Amend Sec. 3704.2.1.1 to read:

3704.2.1.1 Quantities Not Exceeding the Maximum Allowable Quantity per Control Area. The indoor storage or use of highly toxic, toxic and moderately toxic gases in amounts exceeding the threshold quantity per control area set forth in Table 3704.2 shall be in accordance with Sections 2701, 2703, 3701, 3704.1 and 3704.2.

Sec. 9.30.375 General Indoor Requirements

Amend Sec. 3704.2.2 to read:

3704.2.2 General Indoor Requirements. The general requirements applicable to the indoor storage and use of highly toxic and toxic compressed gases shall be in accordance with Sections 3704.2.2.1 through 3704.2.2.10.3.

Moderately toxic gases with an LC_{50} less than 3000 parts per million shall comply with the requirements for toxic gases in Sections 3704.2.2.1 through 3704.2.2.10.3

All other moderately toxic gases exceeding the threshold quantity shall comply with the requirements for toxic gases in Sections 3704.2.2.1 through 3704.2.2.7.

Sec. 9.30.380 Treatment Systems

Amend Sec. 3704.2.2.7 to read:

3704.2.2.7 Treatment Systems. The exhaust ventilation from gas cabinets, exhausted enclosures, gas rooms and local exhaust systems required in Section 3704.2.2.4 and 3704.2.2.5 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in accordance with Sections 3704.2.2.7.1 through 3704.2.2.7.5 and Section 505 of the California Mechanical Code.

Exceptions:

1. Highly toxic, toxic and moderately toxic gases storage. A treatment system is not required for cylinders, containers and tanks in storage when all of the following are provided:
   1.1. Valve outlets are equipped with gas-tight outlet plug or caps.
   1.2. Hand wheel-operated valves have handles secured to prevent movement.
   1.3. Approved containment vessels or containment systems are provided in accordance with Section 3704.2.2.3.

Sec. 9.30.385 Alarms

Amend 3704.2.2.10.1 to read:

3704.2.2.10.1. Alarms. The gas detection system shall initiate a local alarm and transmit a signal to a constantly attended control station when a short-term hazard condition is detected. The alarm shall be both visual and audible and shall provide warning both inside and outside the area where the gas is detected. The audible alarm shall be distinct from all other alarms.

Exception: Deleted

Sec. 9.30.390 Outdoor Storage and Use

Amend Section 3704.3 to read:

3704.3 Outdoor Storage and Use. The outdoor storage or use of highly toxic, ~~and~~ toxic and moderately toxic compressed gases shall be in accordance with Sections 3704.3.1 through 3704.3.4. The threshold quantity for highly toxic, toxic and moderately toxic gases for outdoor storage and use are set forth in Table 3704.3.

Sec. 9.30.395 Threshold Quantities-Outdoor Storage and Use Table

Add Table 3704.3 to read:

Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Outdoor Storage and Use	
Highly Toxic	0
Toxic	10 cubic feet
Moderately Toxic	20 cubic feet

Sec. 9.30.400 Applicability of Regulations

Amend Section 3704.3.1 to read:

3704.3.1 Applicability. The applicability of regulations governing the outdoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 3704.3.1.1 through 3704.3.1.3.

Sec. 9.30.405 Quantities Not Exceeding the Maximum Allowable Quantity

Amend Section 3704.3.1.1

3704.3.1.1 Quantities Not Exceeding The Maximum Allowable Quantity Per Control Area. The outdoor storage or use of highly toxic and toxic gases in amounts exceeding the threshold quantity per control area set forth in Table 3704.3 shall be in accordance with Sections 2701, 2703, 3701, 3704.1, and 3704.3.

Moderately toxic gases with an LC50 less than 3000 parts per million in amounts exceeding the threshold quantity in Table 3704.3 shall comply with the requirements for toxic gases in Sections 2701, 2703, 3701, 3704.1 and 3704.3.

Moderately toxic gases in amounts exceeding the threshold quantity in Table 3704.3 shall comply with the requirements for toxic gases in Sections 2701, 2703, 3701, 3704.1 and 3704.3.2.1 through 3704.3.2.5.

Sec. 9.30.410 Outdoor Storage Weather Protection for Portable Tanks and Cylinders

Amend Section 3704.3.3 to read:

3704.3.3 Outdoor Storage Weather Protection For Portable Tanks and Cylinders. Weather protection in accordance with Section 2704.13 and this section shall be provided for portable tanks and cylinders located outdoors and not within gas cabinets or exhausted enclosures. The storage area shall be equipped with an approved automatic sprinkler system in accordance with Section ~~903.3.1.1~~ 2704.5.

Exceptions: Deleted

Sec. 9.30.412 Pyrophoric Materials

Add Section 4105.3.1 to read:

4105.3.1 Silane distribution systems automatic shutdown. Silane distribution systems shall automatically shut down at the source upon activation of the gas detection system at levels above the alarm level and/or failure of the ventilation system for the silane distribution system.

REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS

DEFINITIONS

Sec. 9.30.415 Definition of Wildland-Urban Interface Fire Area

Amend Section 4902 as follows:
Amend definition of Wildland-Urban Interface Fire Area as follows:

Wildland-Urban Interface Fire Area is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. See Article 86B for the applicable referenced sections of the Government Code and the Public Resources Code. The Wildland-Urban Interface Fire Area shall be defined as all areas within the Town of Los Gatos as set forth and delineated on the map entitled "Wildland-Urban Interface Fire Area" which map and all notations, references, data and other information shown thereon are hereby adopted and made a part of this chapter. The map properly attested, shall be on file in the Office of the City Clerk of the Town of Los Gatos.

Sec. 9.30.416 Hazardous Vegetation and Fuel Management

Amend Section 4906.2 to read:

4906.2 Application. Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Areas (SRA) including:
   1.1 Moderate Fire Hazard Severity Zones
   1.2 High Fire Hazard Severity Zones
   1.3 Very-High Fire Hazard severity Zones
2. Land designated as a Very-High Fire Hazard Severity Zone or as a Wildland-Urban Interface Fire Area by the Town of Los Gatos.

Sec. 9.30.417 Defensible Space

Amend section 4907.1 to read:

4907.1 General. Defensible space will be maintained around all buildings and structures in State Responsibility Areas (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Very-High Fire Hazard Severity Zones of a Local responsibility Area (LRA) shall maintain defensible space as outlined in Government Code 51175 – 51189 and any local ordinance of the authority having jurisdiction.

Persons owning, leasing, controlling, operating or maintaining buildings or structures in the locally adopted Wildland-Urban Interface Fire Area but that are not within the Very-High Fire Severity Zone and persons owning, leasing or controlling land adjacent to such buildings or structures, shall at all times:

1. Maintain an effective defensible space by removing and clearing away flammable vegetation and combustible growth from areas within 30 feet (9144 mm) of such buildings or structures.
   Exception: Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.
2. Maintain additional effective defensible space by removing brush, flammable vegetation and combustible growth located 30 feet to 100 feet (9144 mm to 30480 mm) when required by the fire code official due to steepness of terrain or other conditions that would cause a defensible space of only 30 feet (9144 mm) to be insufficient.
   Exception: Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.
3. Remove portions of trees, which extend within 10 feet (3048 mm) of the outlet of a chimney.
4. Maintain trees adjacent to or overhanging a building free of deadwood; and
5. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.

Sec. 9.30.418 Corrective Actions

Add Section 4907.2 to read:
4907.2 Corrective Actions. The executive body is authorized to instruct the fire code official to give notice to the owner of the property upon which conditions regulated by section 4907.1 exist to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

FIRE PROTECTION PLAN

Sec. 9.30.420 Fire Protection Plan- General

Add Section 4908 to read:

4908.1 General. When required by the code official, a fire protection plan shall be prepared.

Sec. 9.30.425 Fire Protection Plan- Content

Add Section 47908.2 to read:

4908.2 Content. The plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

Sec. 9.30.430 Fire Protection Plan- Cost

Add Section 4908.3 to read:

4908.3 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

Sec. 9.30.435 Fire Protection Plan- Retention

Add Section 4908.4 to read:
4908.4 Plan Retention. The fire protection plan shall be retained by the fire code official.

ACCESS

Sec. 9.30.450 Access-General

Add Section 4909 to read:

4909.1 General. Buildings and structures, or portions thereof, hereafter constructed or relocated into or within Wildland-Urban Interface Fire Areas shall be provided with fire apparatus access in accordance with Chapter 5 and section 4909.2.

Sec. 9.30.455 Driveways

Add Section 4909.2 to read:

4909.2 Driveways. Driveways in excess of 150 feet (45,720 mm) in length shall be provided with turnarounds. Driveways in excess of 200 feet (60,960 mm) in length and less than 20 feet (6096 mm) in width shall be provided with turnouts in addition to turnarounds. An all-weather surface shall be any surface material acceptable to the code official.

A driveway shall not serve in excess of two dwelling units.

Exception:
When such driveways meet the requirements for an access road in accordance with this chapter.

Driveway turnarounds shall be in accordance with Fire Department Standards. Driveways that connect with a road or roads at more than one point may be considered as having a turnaround if all changes of direction meet the radii requirements for driveway turnarounds.

Driveway turnouts shall be an all-weather road surface at least 10 feet (3048 mm) wide and 30 feet (9144 mm) long. Driveway turnouts shall be located as required by the code official.

Vehicle load limits shall be posted at both entrances to bridges on driveways and private roads. Design loads for bridges shall be established by the code official.

WATER SUPPLY

Sec. 9.30.465 Water Supply-General

Add Section 4910 to read:

4910.1 General. Buildings and structures, or portions thereof, hereafter constructed or relocated into or within Wildland-Urban Interface Fire Areas shall be provided with fire protection water supplies in accordance with Chapter 5 and Sections 4910.2 and 4910.3.

Exception:
Buildings containing only private garages, carports, sheds and agricultural buildings with a building area of not more than 500 square feet (56 m2).

Sec. 9.30.500 Clearance of Fuel

Add Section 4910.2 to read:

4910.2 Clearance Of Fuel. Defensible space shall be provided around water tank

structures, water supply pumps and pump houses in accordance with Section 4907.

Sec. 9.30.505 Standby Power

Add Section 4910.3 to read:

4910.3 Standby Power. Stationary water supply facilities within the Wildland-Urban Interface Fire Area dependent on electrical power to meet adequate water supply demands shall provide standby power systems in accordance with the Electrical Code to ensure that an uninterrupted water supply is maintained. The standby power source shall be capable of providing power for a minimum of two hours.

Exceptions:

1. When approved by the fire code official, a standby power supply is not required where the primary power service to the stationary water supply facility is underground.
2. A standby power supply is not required where the stationary water supply facility serves no more than one single-family dwelling.

GENERAL REQUIREMENTS FOR SUPPRESSTION AND CONTROL

Sec. 9.30.525 General Requirements for Suppression and Control

Add Section 4911 to read:

4911.1 Scope. The provisions of this section establish general requirements applicable to new and existing properties located within the Wildland-Urban Interface Fire Area.

Sec. 9.30.530 Clearance of Brush or Vegetative Growth from Roadways

Add Section 4911.2 to read:

4911.2 Clearance Of Brush Or Vegetative Growth From Roadways. The code official is authorized to require areas within 10 feet (3048 mm) on each side of portions of fire apparatus access roads and driveways to be cleared of non-fire-resistive vegetation growth.

Exception:

Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants used as ground cover, provided they do not form a means of readily transmitting fire.

ACCESS RESTRICTIONS

Sec. 9.30.580 Restricted Entry to Public Lands

Add Section 4911.3 to read:

4911.3.1 Restricted Entry To Public Lands. The code official is authorized to determine and publicly announce when Wildland-Urban Interface Fire Areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of Wildland-Urban Interface Fire Area, except public roadways, inhabited areas or established trails and campsites that have not been closed during such time when the Wildland-Urban Interface Fire Area is closed to entry, is prohibited.

Exceptions:

1. Residents and owners of private property within the Wildland-Urban Interface Fire Areas and their invitees and guests going to or being on their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the Wildland Firefighting Service.

Sec. 9.30.600 Use of Fire Roads and Defensible Space

Add Section 4911.3.2

4911.3.2 Use of Fire Roads and Defensible Space. Motorcycles, motor scooters and motor vehicles shall not be driven or parked on, and trespassing is prohibited on, fire roads or defensible space beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner that obstructs the entrance to a fire road or defensible space.

Exception: Police officers acting within their scope of duty. Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or defensible spaces, unless located 16 feet (4877 mm) or more above such fire road or defensible space.

Add Section 4911.3.3

4911.3.3 Use of Motorcycles, Motor Scooters, Ultra-light Aircraft and Motor Vehicles. Motorcycles, motor scooters, ultra-light aircraft and motor vehicles shall not be operated within the Wildland-Urban Interface Fire Area, without a permit by the fire code official, except on clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

Add Section 4911.3.4

4911.3.4 Tampering with Locks, Barricades, Signs and Address Markers.

Locks, barricades, seals, cables, signs and address markers installed within the Wildland-Urban Interface Fire Area, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the fire code official shall not be unlocked.

IGNITION SOURCE CONTROL

Sec. 9.30.615 Clearance from Ignition Sources

Add Section 4912.1 to read:

4912.1 General. Ignition sources shall be in accordance with Section 4912.

Add Section 4912.2 to read:

4912.2 Clearance From Ignition Sources. Clearance between ignition sources and grass, brush or other combustible materials shall be maintained a minimum of 30 feet (9144 mm).

Sec. 9.30.620 Smoking Prohibited

Add Section 4912.3 to read:

4912.3 Smoking. When required by the code official, signs shall be posted stating NO SMOKING. No person shall smoke within 15 feet (4572 mm) of combustible materials or non-fire-resistive vegetation.

> **Exception:**
> Places of habitation or in the boundaries of established smoking areas or campsites as designated by the fire code official.

Sec. 9.30.625 Equipment and Devices Generating Heat, Sparks or Open Flames

Add Section 4912.4 to read:

4912.4 Equipment And Devices Generating Heat, Sparks Or Open Flames. Equipment and devices generating heat, sparks or open flames capable of igniting nearby combustibles shall not be used in Wildland-Urban Interface Fire Areas without a permit from the fire code official.

> **Exception:**
> Use of approved equipment in habitated premises or designated campsites that are a minimum of 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

Sec. 9.30.630 Fireworks in Wildland-Urban Interface Fire Areas Prohibited

Add Section 4912.5 to read:

4912.5 Fireworks. Fireworks shall not be used or possessed in Wildland-Urban Interface Fire Areas.

Sec. 9.30.635 Outdoor Fires in Wildland-Urban Interface Fire Area-General

Add Section 4913 to read:

4913.1 General. No person shall build, ignite or maintain any outdoor fire of any kind for any purpose in or on any Wildland-Urban Interface Fire Area, except by the authority of a written permit from the fire code official.

> **Exception:**
> Outdoor fires within inhabited premises or designated campsites where such fires are in a permanent barbecue, portable barbecue, outdoor fireplace or grill and are a minimum of 30 feet (9144 mm) from any combustible material or non-fire-resistive vegetation.

Sec. 9.30.640 Permits for Outdoor Fires

Add Section 4913.2 to read:
4913.2 Permits. Permits for outdoor fires shall incorporate such terms and conditions that will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in Wildland-Urban Interface Fire Areas under the following conditions:

1. When high winds are blowing,
2. When a person 17 years old or over is not present at all times to watch and tend such fire, or
3. When a public announcement is made that open burning is prohibited.

Sec. 9.30.645 Restrictions for Outdoor Fires

Add Section 4913.3 to read:

4913.3 Restrictions. No person shall use a permanent barbecue, portable barbecue, outdoor fireplace or grill for the disposal of rubbish, trash or combustible waste material.

Sec. 9.30.650 Outdoor Fireplaces, Permanent Barbecues and Grills

Add Section 4913.4 to read:

4913.4 Outdoor Fireplaces, Permanent Barbecues And Grills. Outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in Wildland-Urban Interface Fire Areas without approval of the fire code official.

Outdoor fireplaces, permanent barbecues and grills shall be located a minimum of 30 feet (9144 mm) from any combustible material or non-fire-resistive vegetation and shall maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrestor, screen or door. For the purposes of this section, ignition-resistant material shall not be considered to be combustible material.

Exception:
When approved by the fire code official, unprotected openings in barbecues and grills necessary for proper functioning.

LIQUIFIED PETROLEUM GAS INSTALLATIONS

Sec. 9.30.675 Liquefied Petroleum Gas Installations

Add section 4914 to read:

4914.1 Vegetation Clearance around Tanks/Containers. Flammable vegetation shall be cleared a minimum of 30 feet around liquefied petroleum gas tanks/containers.

Sec. 9.30.700 Storage of Firewood and Combustible Materials-General

Add Section 4915.1 to read:

4915.1 General. Firewood and combustible material shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. The storage of firewood and combustible material stored in the defensible space shall be located a minimum of 30 feet (6096 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet.

Sec. 9.30.705 Storage of Firewood and Combustible Materials for Off-Site Use

Add Section 4915.2 to read:

4915.2 Storage For Off-Site Use. Firewood and combustible materials not for consumption on the premises shall be stored as approved by the fire code official.

DUMPING

Sec. 9.30.710 Waste Material

Add Section 4721.1 to read:

4916.1 Waste Material. Waste material shall not be placed, deposited or dumped in Wildland-Urban Interface Fire Areas, or in, on or along trails, roadways or highways or against structures in Wildland-Urban Interface Fire Areas.

Exception:

Approved public and approved private dumping areas.

Sec. 9.30.715 Ashes and Coals

Add Section 4916.2 to read:

4916.2 Ashes And Coals. Ashes and coals shall not be placed, deposited or dumped in or on the Wildland-Urban Interface Fire Areas.

Exceptions:

1. In the hearth of an established fire pit, camp stove or fireplace.
2. In a noncombustible container with a tight fitting lid, which is kept or maintained in a safe location not less than 10 feet (3048 mm) from non-fire-resistive vegetation or structures.
3. Where such ashes or coals are buried and covered with 1 foot (305 mm) of mineral earth not less than 25 feet (7620 mm) from non-fire-resistive vegetation or structures.

PROTECTION OF PUMPS AND WATER STORAGE FACILITIES

Sec. 9.30.720 Defensible Space for the Water Supply

Add Section 4917 to read:

4917.1 Clearance of Flammable Vegetation. Flammable vegetation shall be cleared a minimum of 30 feet from water storage equipment and pumping facilities.

CHAPTER 1

PERMITS

Sec. 9.30.745 Construction Permit Fees

Section 105.1.4 is added to read as follows

105.1.4 Construction permit fees. Construction permit fees and plan review fees for fire hydrant systems, fire extinguishing systems and fire alarm systems shall be paid to the Santa Clara County Fire Department in accordance with the following table based on valuation. The valuation shall be limited to the value of the system installation for which the permit is being issued. Plan review fees are 65% of the Permit Fee amount. For the purposes of determining the total fee amount for each permit, the plan review fee shall be added to the Permit Fee.

TOTAL VALUATIONS	PERMIT FEE
$1.00 TO $500.00	$23.50
$501.00 TO $2,000.00	$23.50 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2,000.00
$2001.00 TO $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00 or fraction thereof, to and including $25,000.00
$25,001.00 TO $50,000.00	$391.25 for the first $25,000.00 plus $10.10 for each additional $1,000.00, or fraction thereof, to and including $50,000.00
$50,001.00 TO $100,000.00	$643.75 for the first $50,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	$993.75 for the first $100,000.00 plus $5.60 for each additional $1,000.00, or fraction thereof, to and including $500,000.00
$500,001 to $1,000,000.00	$3,233.75 for the first $500,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001 and up	$5,608.75 for the first $1,000,000.00 plus $3.15 for each additional $1,000.00, or fraction thereof
Additional re-inspections, in connection with the permits above, are to be paid at $30.00 for each occurrence at the discretion of the fire code official.	

Sec. 9.30.750 Operational Permit Fees

Section 105.1.5 is added to read as follows

105.1.5 Operational permit fees. Operational permit fees shall be paid to the Santa Clara County Fire Department as follows:

	FACILITY TYPE	PERMIT FEE
1.	Institutional	
	A. Over 50 persons	$100.00 - Annually
	B. More than 6 persons	$ 75.00 - Annually
2.	Day Care Facilities	
	More than 6 clients	$35.00 - Annually
3.	Places of Assembly	
	A. 50-300 persons	$50.00 - Annually
	B. Over 300 persons	$85.00 - Annually
4.	Temporary Membrane Structures, Tents and Canopies (Only those requiring permits in accordance with Section 105.6.43).	$85.00 – Each occurrence

Sec. 9.30.755 Compressed Gas Permits

Section 105.6.8 is amended to read as follows:

105.6.8 COMPRESSED GASES. An operational permit is required for the storage, use or handling at normal temperature and pressure (NPT) of compressed gases in excess of the amounts listed in Chapter 1, Table 105.6.8, to install any piped distribution system for compressed gases, or to install a non-flammable medical gas manifold system. A permit is required to install, repair, abandon, remove, place temporarily out of service, close or substantially modify a compressed gas system.

Exceptions:
1. Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.
2. Routine maintenance.
3. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

4. Inert and simple asphyxiants at or below the amounts listed in Table 105-A.

The permit applicant shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of the storage, use or handling of compressed or liquefied gases. Such application shall include any change or alteration of the facility closure plan filed pursuant to Section 8001.13. This 30-day period may be waived by the chief if there are special circumstances requiring such waiver.

Amend Table 105.6.8 to read:

TABLE 105.6.8
PERMIT AMOUNTS FOR COMPRESSED GASES[1]

TYPE OF GAS	AMOUNT(cubic feet)[2] X 0.0283 for m^3
Corrosive	200
Flammable (except cryogenic and liquefied petroleum gases)	200
Highly toxic	Any amount
Inert and simple asphyxiant	6,000
Irritant	200
Moderately toxic	20
Other health hazards	650
Oxidizing (including oxygen)	504
Pyrophoric	Any amount
Radioactive	Any amount
Sensitizer	200
Toxic	Any Amount
Unstable (reactive)	Any amount

[1] Refer to Chapters 27, 30, 32, 35, 37, 40 and 41 for additional requirements and exceptions.
[2] Cubic feet measured at normal Temperature and pressure.

Sec. 9.30.760 Cryogenic Fluid Permits
Section 105.6.10 is amended to read as follows:

105.6.10 Cryogenic fluids. An operational permit is required to produce, store transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Chapter 1, Table 105.6.10 or to install a cryogenic vessel or piping system for the storage or distribution of cryogens.

Exception:
Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.

Sec. 9.30.765 Permit Amounts for Hazardous Materials

Amend Table 105.6.20 to read:

TABLE 105.6.20
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS

TYPE OF MATERIAL	AMOUNT
Combustible liquids	See Section 105.6.16
Corrosive materials:	
Gases	See Section 105.6.8
Liquids	55 gallons
Solids	500 pounds
Cryogens	See Section 105.6.10
Explosive materials	See Section 105.6.14
Flammable materials:	
Gases	See Section 105.6.8
Liquids	See Section 105.6.16
Solids	10 pounds
Highly toxic materials:	
Gases	Any amount
Liquids	Any amount
Solids	Any amount
Moderately toxic gas	20 cubic feet
Organic peroxides:	
Liquids: Class I-IV	Any Amount
Liquids: Class V	No Permit Required
Solids: Class I-IV	Any Amount
Solids: Class V	No Permit Required
Oxidizing materials:	
Gases	504 Cubic Feet
Liquids	Any amount
Solids:	Any amount
Pyrophoric materials:	
Gases	Any amount
Liquids	Any amount
Solids	Any amount
Toxic materials:	
Gases	Any amount
Liquids	Any amount
Solids	Any amount
Unstable (reactive) materials:	
Gases	Any amount
Liquids	Any amount
Solids	Any amount
Water reactive materials:	
Liquids	Any amount
Solids	Any amount

For SI: 1 gallon = 3.785 L, 1 pound = 0.454kg.

a. 20 gallons when Table 2703.1.1(1) Note k applies and hazard identification signs in accordance with Section 2703.5 are provided for quantities of 20 gallons or less.
b. 200 pounds when Table 2703.1.1(1) Note k applies and hazard identification signs in accordance with Section 2703.5 are provided for quantities of 200 pounds or less.

Sec. 9.30.770 Day Care Facility Permit

Section 105.6.48 is added to read as follows:

105.6.48 Day care facility. An operational permit is required to operate a business as a day care facility for more than 6 people.

Sec. 9.30.775 Institutional Permits

Section 105.6.49 is added to read as follows:

105.6.49 Institutional. A permit is required to operate, maintain, or use any institutional type occupancy. For the purpose of this Section, an institution shall be, but is not limited to: hospitals, children's home, home or institution for insane or mentally retarded persons, home or institution for the care of aged or senile persons, sanitarium, nursing or convalescent home, certified family care homes, residential care homes for the elderly, out of home placement facilities, halfway house, and day care nurseries or similar facility of any capacity.)

Sec. 9.30.780 Final Inspection

Section 106.5 is added to read as follows:

106.5 Final Inspection. No final inspection as to all or any portion of a development shall be deemed completed until the installation of the required fire protection facilities and access ways have been completed and approved. No final certificate of occupancy may be granted until the Fire Department issues notice of final clearance of such fire protection facilities and access ways to the Building Department.

Sec. 9.30.785 VIOLATIONS

Section 109.3 is deleted

SECTION III

In the event that any part of this ordinance is held to be invalid, the invalid part or parts shall be severed from the remaining portions which shall remain in full force and effect.

SECTION IV

This ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on December 6, 2010 and adopted by the following vote as an ordinance of the Town of Los Gatos at a regular meeting of the Town Council of the Town of Los Gatos on December 20, 2010. This ordinance takes effect 30 days after it is adopted.

COUNCIL MEMBERS:

AYES: Steven Leonardis, Diane McNutt, Steve Rice, Barbara Spector, Mayor Joe Pirzysnki

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA