



MEETING DATE: 11-19-2007

AGENDA ITEM: 9

COUNCIL AGENDA REPORT

DATE: November 13, 2007
TO: MAYOR AND TOWN COUNCIL
FROM: ORRY P. KORB, TOWN ATTORNEY *OK*
SUBJECT: NEW BUILDING AND FIRE CODES

- A.. ADOPT AN ORDINANCE OF THE TOWN OF LOS GATOS REPLACING CHAPTERS 6 AND 9 OF THE TOWN OF LOS GATOS MUNICIPAL CODE, ADOPTING NEW BUILDING AND FIRE CODES
- B. ADOPT RESOLUTION MAKING FINDINGS FOR MODIFYING UNIFORM BUILDING AND FIRE CODES

RECOMMENDATION:

- a. Adopt the ordinance introduced by Council on November 5, 2007; and
- b. Adopt resolution making findings for modifying uniform building and fire codes.

DISCUSSION:

On November 5, 2007, Council voted to introduce an ordinance (Attachment 1) replacing Chapters 6 and 9 of the Town Code to adopt and, as necessary, modify newly adopted uniform building and fire codes that become effective in the State of California on January 1, 2008. Should Council adopt the ordinance as introduced, it will become effective 30 days thereafter.

Health and Safety Code sections 17958.5 and 17958.7 provide that the Town may modify the otherwise mandatory uniform building and fire codes if findings are made that such amendments are reasonably necessary because of local climatic, geological, or topographical conditions. The proposed ordinance contains a number of modifications. A proposed resolution (Attachment 2) makes the required findings supporting these modifications.

PREPARED BY: ORRY P. KORB, TOWN ATTORNEY

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Reviewed by: *PS* Town Manager _____ Assistant Town Manager _____ Clerk _____
Finance _____ Community Development _____

Rev: 11/15/07 9:17 am

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File# 301-05

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MAYOR AND TOWN COUNCIL
ADOPT AN ORDINANCE AMENDING PLANNED DEVELOPMENT PD-99-02
June 16, 2006

Attachments:

1. Proposed Ordinance
2. Proposed Resolution

PREPARED BY: ORRY P. KORB, TOWN ATTORNEY

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ORDINANCE NO. _____

ORDINANCE REPLACING CHAPTER 6 AND 9 OF THE TOWN OF LOS GATOS MUNICIPAL CODE, ADOPTING NEW 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 30 2007 and local jurisdictions are required to adopt these codes by January 1, 2008; and

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

WHEREAS, the Town of Los Gatos is proposing to adopt the California Building Code 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 2006 International Property Maintenance Code and portions of the 2006 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 Building Code, the California Building Code shall apply. If any code adopted in this chapter does not include administrative provisions, the administrative provisions of the California Building Code apply.

ARTICLE III. BUILDING CODE

Sec. 6.30.010. Adopted.

The 2006 International Building Code (IBC) as amended in by the State of California and known as the 2007 California Building Code (CBC) (Title 24, Part 2, Volumes 1 and 2), with Appendix Chapter 1 and Appendix I with modifications provided in sections 6.30.020 through 6.30.170 of this article.

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 1503.4.2:

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.

Subsection 1505.1.4 of the California Building Code adopted by this article is amended to read as follows:

Roof Covering Requirements in a Wildland-Urban Interface Fire Area.

Roof covering requirements for structures located in a Wildland-Urban Interface Fire Area or Hazardous Fire Area as adopted by the Town of Los Gatos shall comply with Section 1505.1.1 and also comply with Section 704A.1

Exemption: "Additions and alterations which are less than ten percent of the projected roof area need not comply."

Sec. 6.30.050. Modification to ASCE 7

Section 1614, 1614.1, 1614.1.3 and 1614.1.7 are added to Chapter 16 of the 2007 California Building Code to read as follows;

1614. Modification to ASCE

1614.1 General. The text of ASCE 7 shall be modified as indicated in this Section.

1614.1.3 ASCE 7, Section 12.8.1.1. Modify ASCE 7 Section 12.8.1.1 by amending Equation 12.8-5 as follows;

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

1614.1.7 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:

1. Isolated spread concrete footings of building three stories or less in height that are fully supported on earth or rock and a design compressive strength of 2,500 PSI or less.

Sec. 6.30.070. Modification to ACI 318

Section 1908.1 is amended to read as shown below and Section 1908.1.17 is added to Chapter 19 of the 2007 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.

1908.1.17 ACI 318, Section 14.8. Modify ACI 318 Section 14.8.3 and 14.8.4 replacing equation (14-7), (14-8) and (14-9).

1. Modify equation (14-7) of ACI 318 Section 14.8.3 as follows:
I_{cr} shall be calculated by Equation (14-7), and M_a shall be obtained by iteration of deflections,

$$I_{cr} = E_s/E_c [A_s + (P_u/F_y * h/2d)] (d-c)^2 = I_w c^3/3$$

and the value E_s/E_c shall not be taken less than 6

2. Modify ACI 318 Section 14.8.4 as follows:

14.8.4 – Maximum out –of-plane deflection, Δ_s, due to service loads, including PΔ effects, shall not exceed I_c/150.

If M_a, maximum moment at mid-height of wall due to service lateral and eccentric loads, including PΔ effects, exceed (2/3) M_{cr}, Δ_s shall be calculated by equation (14-8)

$$\Delta_s = \frac{2}{3} \Delta_{cr} + (M_a - \frac{2}{3} M_{cr} / M_n - \frac{2}{3} M_{cr}) * (\Delta_n - \frac{2}{3} \Delta_{cr}) \quad (14-8)$$

If M_a does not exceed (2/3) M_{cr}, Δ_s shall be calculated by Equation (14-9)

$$\Delta_s = (M_a / M_{cr}) \Delta_{cr} \quad (14-9)$$

Where:

$$\Delta_{cr} = (5 M_{cr} I_c^2) / (48 E_c I_g)$$

$$\Delta_n = (5 M_n I_c^2) / (48 E_c I_{cr})$$

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, 5 and 7

Sec. 6.30.090. Property Maintenance

Appendix Chapter 1, Section 101.4.5, of the California Building Code adopted by this article is amended as follows:

Delete reference to "California Mechanical Code and replace with "International Code for Property Maintenance"

Sec. 6.30.100. IBC Oversight

Appendix Chapter 1, Section 102.4.1, of the California Building Code adopted by this article is amended to add the following:

The California adoption of the new 2006 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 Uniform Codes.

Sec. 6.30.110. Existing Structures

Appendix Chapter 1, Section 102.6, of the California Building Code adopted by this article is amended as follows:

Delete reference to "California Mechanical Code and replace with "International Code for Property Maintenance"

Sec. 6.30.120. Deputies

Appendix Chapter 1, Section 103.3, of the California Building Code adopted by this article is amended as follows:

Delete reference to "California Mechanical Code and replace with "International Code for Property Maintenance"

Sec. 6.30.130. Annual permit

Appendix Chapter 1, Section 105.1.1, of the California Building Code deleted by this article:

105.1.1 - DELETED

Sec. 6.30.140. Annual permit records

Appendix Chapter 1, Section 105.1.2, of the California Building Code deleted by this article:

105.1.2 - DELETED

Sec. 6.30.150. Work exempt from permit

Appendix Chapter 1, Section 105.2, Building:, item #6 of the California Building Code adopted by this article is amended to read as follows:

6. Sidewalks, Platforms and Driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.

Sec. 6.30.160. Information on construction documents.

Appendix Chapter 1, Section 106.1.1 of the 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

Appendix Chapter 1, Section 108.2 of the California Building Code adopted by this article is amended to add Section 108.2.1 & 108.2.2:

108.2.1 Permit Fees

The fee for each permit shall be based on the calculations as set forth in Table A108.

Table A108

Building Permit Fees for New Construction and Addition

<u>Total Valuation</u>	<u>Fee</u>
\$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
2,001.00 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
\$500,001.00 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
\$1,000,001.00 and over	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00 or fraction thereof

108.2.2 Plan Review Fees

When submittal documents are required by Section 106, 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 as shown in Table A108.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 108.2.1 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 106.3.4.2, an additional plan review fee shall be charged at the rate shown in Table A108 or per the hour plan review rate as adopted by the Town of Los Gatos.

Sec. 6.30.180. Refunds

Appendix Chapter 1, Section 108.6 of the California Building Code adopted by this article is amended to add Section 108.6.1:

108.6.1 Refunds

The building official may authorize refund of Building Division fee which was 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, 2006 Edition, as amended in 2007 by the State of California in the State Building Standard Regulations (Title 24), with Appendix chapters; Chapter 1, A, B, D, E, 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), 2006 Edition, amended in 2007 by the State of California (Title 24, Part 4), with Appendix chapters, Chapter 1 and A is adopted by reference.

ARTICLE VI. ELECTRICAL CODE*

Sec. 6.60.010. Adopted.

The National Electrical Code, 2005 Edition, as amended in 2007 by the State of California, (Title 24, Part 5).

ARTICLE VII. ENERGY CODE

Sec. 6.70.010. Adopted.

The 2007 California Energy Code (Title 24, Part 6)

ARTICLE VIII. REFERENCE STANDARDS CODE

Sec. 6.80.010. Adopted.

The 2007 California Reference Standards Code (Title 24, Part 12)

ARTICLE IX. HISTORICAL BUILDING CODE

Sec. 6.90.010. Adopted.

The 2007 California Historical Building Code (Title 24, Part 8)

ARTICLE X. EXISTING BUILDING CODE

Sec. 6.100.010. Adopted.

The 2006 International Existing Building Code (IBC) as amended in by the State of California and known as the 2007 California Existing Building Code (Title 24, Part 10),

ARTICLE XI. INTERNATIONAL CODE FOR PROPERTY MAINTENANCE

Sec. 6.110.010. Adopted.

The 2006 International Code for Property Maintenance, as published by International Code Council (ICC)

Sec. 6.110.020. Application of other codes

Subsection 102.3 of 2006 International Code for Property Maintenance 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. INTERNATIONAL EXISTING BUILDING CODE

Sec. 6.120.010. Adopted.

The flowing Chapters of the 2006 International Existing Building Code, as published by International Code Council (ICC) are adopted;

Chapter 9

Chapter 14

Appendix A2

Appendix A3

Appendix A4

Appendix A5

Sec. 6.130.010. Reserved.

ARTICLE XIV. BUILDING RELOCATION CODE

DIVISION 1. GENERALLY

Sec. 6.140.010. Title.

This article is the building relocation code of the Town.

Sec. 6.140.020. Interference with demolition or removal of building.

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 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 6.70.105, the Building Official shall give notice of default, as provided in section 6.70.115, 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 6.70.105 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.

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

Sec. 9.30.005. Adoption of 2007 CFC and 2006 IFC

Adoption of the 2007 California Fire Code And 2006 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 2007 California Fire Code and also the International Fire Code 2006 Edition, including Appendix Chapters 1, 4, B and C 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, 2008 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 3204.3.1.1 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 3404.2.9.5.1 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 LPG containers may be approved by the fire code official on a case-by-case basis.

Sec. 9.30.030 Workstation Definitions

Add the following definition:

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. 9.30.035 Open Flames

Delete Section: **308.3.5 Religious ceremonies.**

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. 9.30.045 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 occupancies used exclusively for religious worship~~ Group A buildings having an occupant load of 100 or more persons.
2. Group B buildings having an occupant load of 500 or more persons ~~or more than 100 persons above or below the lowest level of exit discharge.~~
3. Group E: See §3.13 Title 19, CCR for regulations.
4. Group H.
5. Group I. See §3.09 Title 19, CCR for regulations.
6. Group R-1. See §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 ~~or more than 100 persons above or below the lowest level of exit discharge.~~
10. Covered malls exceeding 50,000 square feet (4645 m²) in aggregate floor area.
11. Underground buildings.
12. ~~Buildings with an atrium and having occupancy in Group A, E or M~~

Occupancies.

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 ^a	Annually	Employees
Group E	<u>See §3.09 Title 19, CCR</u>	
Group I	<u>See §3.09 Title 19, CCR</u>	
Group R-1	<u>See §3.09 Title 19, CCR</u>	
Group R-2 ^b	Four annually	All occupants
Group R-4	Quarterly on each shift	Employees ^b

High-rise buildings ^c	See §3.09 Title 19, CCR
----------------------------------	-------------------------

- a. ~~The frequency shall be allowed to be modified in accordance with Section 408.3.2~~
- 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.~~
- a. ~~b~~ . Group B buildings having an occupant load of 500 or more persons.
- b. ~~d~~ . Applicable to Group R-2 college and university buildings only ~~in accordance with Section 408.3.~~
- c. Applicable to high-rise office buildings only.

Sec. 9.30.060 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: **408.8 Group R-1 Occupancies.**
- 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 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 503.2.1 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 access control devices shall be provided with an approved means for deactivation or unlocking by the fire department.

Access control devices shall also comply with Chapter 10 Egress.

HAZARDS TO FIREFIGHTERS

Sec. 9.30.95 Roof Guardrails at Interior Courts

Add Section 507.4 to read:

507.4 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.

EMERGENCY COMMUNICATIONS SYSTEMS

Sec. 9.30.100 Emergency Communications Systems

Add Section 511.1 to read:

511.1 Emergency Communication Systems. In new buildings, or buildings expanded by more than 20%, or buildings in which a change in occupancy classification occurs where adequate interior emergency radio communication is not possible, a system or equipment that will provide emergency radio coverage acceptable to the fire code official shall be installed.

BUILDING SERVICE AND FEATURES

FUEL FIRED APPLIANCES

Sec. 9.30.105 Portable Unvented Heaters

Add Section 603.4.2 as follows:

603.4.2 Portable Unvented Heaters Used in Other Occupancies and Outside Locations. Use of portable unvented heaters in other occupancies and outside locations shall be approved by the fire code official.

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.

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 structures and in existing modified buildings and structures, shall be provided in the locations described in this section. Automatic fire sprinklers shall be installed per the requirements set forth in Sections 903.2.1 through 903.2.13 and as follows, whichever is the more restrictive:

1. An automatic sprinkler system shall be provided throughout all new buildings that have a gross floor area in excess of 3,600 square feet or that are three (3) or more stories in height.
2. An automatic sprinkler system shall be provided throughout all existing buildings when modifications are made that increases the gross floor area to more than 3,600 square feet or increases the number of stories to three (3) or more.

Exception: One-time additions to existing buildings made after 01/01/2008 that do not exceed 500 square feet in gross floor area.

3. An automatic sprinkler system shall be provided throughout all new buildings located in the designated Wildland-Urban Interface areas.

Exception: Any non-habitable structures accessory to single family residences that have a gross floor area of 500 square feet or less.

4. An automatic sprinkler system shall be provided throughout all existing buildings located in the designated Wildland-Urban Interface areas when modifications are made that increases the gross floor area.

Exception: One-time additions to existing buildings made after 01/01/2008 that do not exceed 500 square feet in gross floor area.

5. Automatic fire sprinkler protection for fixed guideway transit systems shall be as per Section 903.2.17.

Exceptions:

- ~~1. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1 hour fire resistance rated walls and 2 hour fire resistance rated floor/ceiling assemblies.~~
- ~~2. Automatic fire sprinkler protection for fixed guideway transit systems shall be as per Section 903.2.17.~~

Sec. 9.30.125 Automatic Sprinkler System Installation Requirements

Amend section 903.3 as follows:

903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.7 and Fire Department Standards.

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).

SECTION 1411 MEANS OF EGRESS

Sec. 9.30.135 Means of Egress – Stairways Required

Amend Section 1411.1 as follows:

1411.1 Stairways Required. ~~Where a building has been constructed to a height greater than 50 feet (15,240 mm) or four stories, or where an existing building exceeding 50 feet (15,240 mm) in height is altered, at least one temporary lighted stairway shall be provided unless one or more of the permanent stairways are erected as the construction progresses.~~

All floor levels above the first story in new multi-story buildings that require 2 exit stairs shall be provided with at least two usable exit stairways (temporary or permanent) 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.

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. 9.30.155 Fire Protection Water Supply System-Recycle 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.

TIRE REBUILDING AND STORAGE

Sec. 9.30.160 Tire Rebuilding and Storage

Chapter 25 of the 2006 International Fire Code is adopted in its entirety.

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

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.

Sec. 9.30.180 Secondary Containment Requirements

Add Section 2703.1.5 to read:

2703.1.5 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. Monitoring of secondary containment shall be accordance with Section 2704.2.2.5.

Sec. 9.30.185 Design and Construction 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:
 1. The point of use.
 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, ~~threaded~~ or ~~flanged~~ brazed connections throughout except for connections within an ~~ventilated~~ 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 1×10^{-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. 2703.5.4 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. 2703.9.10 to read:

2703.9.10 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 ~~in individual vessels having a capacity of more than 55 gallons (208 L) or in which aggregate capacity of multiple vessels exceeds 1,000 gallons (3785 L);~~ 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 ~~when the aggregate capacity of the multiple vessels exceeds the following:~~

- ~~1. Liquids: Capacity of an individual vessel exceeds 55 gallons (208 L) or the aggregate capacity of multiple vessels exceeds 1,000 gallons (3785 L); and~~
- ~~2. Solids: Capacity of an individual vessel exceeds 550 pounds (250 kg) or the aggregate capacity of multiple vessels exceeds 10,000 pounds (4540 kg).~~

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

SECTION 3102 DEFINITIONS

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 Chapter 10 and Section 3301.1.1 of this Chapter. For fireworks requirements see Title 19 California Code of Regulations Chapter 6 and Section 3301.1.2 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 possession, storage and use of small arms ammunition when packaged in accordance with DOTn packaging requirements.

4. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
5. Items preempted by federal regulations.

Sec. 9.30.245 Explosives

Add Section 3301.1.1 to read:

3301.1.1. Explosives. . The possession, manufacture, storage, sale, handling, and use of explosives are prohibited.

Exceptions:

1. Possession, storage, handling and use of explosives for test and research purposes is allowed with permit and approval of the fire code official.
2. Possession, storage, handling and use of squibs, explosive nuts or bolts and similar small quantity explosive devices is allowed with permit and approval of the fire code official.

Sec. 9.30.250 Fireworks

Add Section 3301.1.2 to read:

3301.1.2 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 when handled and used by a licensed pyrotechnic operator in accordance with Title 19 of the California Code of Regulations and permitted in accordance with this Chapter.
2. Storage, handling and use of pyrotechnic special effects fireworks inside of buildings, equipped throughout with an approved fire sprinkler system, when used for proximate audience displays or special effects in theatrical, television, motion picture and group entertainment productions and when handled and used by a licensed pyrotechnic operator in accordance with Title 19 of the California Code of Regulations and permitted in accordance with this Chapter.

Sec. 9.30.255 Model Rocketry

Add Section 3301.1.3 to read:

3301.1.3 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.

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.

Exception: ~~Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less.~~

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) 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:

$$\text{Max TQ (pounds)} = \text{LC50 (ppm)} \times 2 \text{ lb.}$$

Gas Mixtures, the LC50 value for a gas mixture containing toxic, highly toxic or moderately toxic components shall be calculated using the formula 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 LC₅₀ 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/sec²) 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, ~~and~~ 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, ~~and toxic~~ and moderately toxic gases in amounts exceeding the threshold quantity per control area set forth in ~~Table 2703.1.1(2)~~ Table 3704.2 shall be in accordance with Sections 2701, 2703, 3701, ~~and~~ 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 LC₅₀ 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.
2. ~~Toxic gas use. Treatment systems are not required for toxic gases supplied by cylinders or portable tanks not exceeding 1,700 pounds (772 kg) water capacity when the following are provided:~~
 - 2.1. ~~A listed or approved gas detection system with a sensing interval not exceeding 5 minutes.~~
 - 2.2. ~~A listed or approved automatic closing fail safe valve located immediately adjacent to cylinder or portable tank valves. The fail safe valve shall close when gas is detected at the PEL by a gas detection~~

~~system monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room. The gas detection system shall comply with Section 3704.2.2.10.~~

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:

~~Signal transmission to a constantly attended control station is not required where not more than one cylinder of highly toxic or toxic gas is stored.~~

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.

~~**Exception:** An automatic sprinkler system is not required when:~~

- ~~1. All materials under the weather protection structure, including hazardous materials and the containers in which they are stored, are noncombustible.~~
- ~~2. The weather protection structure is located not less than 30 feet (9144mm) from combustible materials or structures or is separated from such materials or structures using a fire barrier complying with Section 3704.3.2.1.1.~~

REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS

DEFINITIONS

Sec. 9.30.415 Definition of Wildland-Urban Interface Fire Area

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.

FIRE PROTECTION PLAN

Sec. 9.30.420 Fire Protection Plan- General

Add Section 4703.1 to read:

4703.1 General. When required by the code official, a fire protection plan shall be prepared.

Sec. 9.30.425 Fire Protection Plan- Content

Add Section 4703.2 to read:

4703.2 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 4703.3 to read:

4703.3 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 4703.4 to read:

4703.4 Plan Retention. The fire protection plan shall be retained by the fire code official.

DEFENSIBLE SPACE

Sec. 9.30.440 Defensible Space-General

Add Section 4707.1 to read:

4707.1 General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining the Wildland-Urban Interface Fire Area 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) from such buildings or structures, 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. Tree crowns extending to within 10 feet (3048 mm) of any structure shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048 mm). Tree crowns within the defensible space shall be pruned to remove limbs located less than 6 feet (1829 mm) above the ground surface adjacent to the trees.
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. 9.30.445 Corrective Actions

Add Section 4707.2 to read:

4707.2 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 4707.1 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.

ACCESS

Sec. 9.30.450 Access-General

Add Section 4714.1 to read:

4714.1 General. Buildings and structures, or portions thereof, hereafter constructed or relocated into or within wildland-urban interface areas shall be provided with fire apparatus access in accordance with this chapter.

Sec. 9.30.455 Driveways

Add Section 4714.2 to read:

4714.2 Driveways. Driveways with an all-weather surface shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet (45 720 mm) from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet (3658 mm) and a minimum unobstructed height of 13 feet 6 inches (4115 mm). 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.

Sec. 9.30.460 Fire Apparatus Access Roads

Add Section 4714.3 to read:

4714.3 Fire Apparatus Access Roads. Fire apparatus access roads shall be all weather roads with a minimum width of 20 feet (6096 mm) and a clear height of 13 feet 6 inches (4115 mm); and shall be designed in accordance with Fire Department Standards. Dead-end roads in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds designed in accordance with Fire Department Standards. An all-weather road surface shall be any surface material acceptable to the code official.

WATER SUPPLY

Sec. 9.30.465 Water Supply-General

Add Section 4715.1 to read:

4715.1 General. Buildings and structures, or portions thereof, hereafter constructed or relocated into or within wildland-urban interface areas shall be provided with fire

protection water supplies in accordance with this chapter.

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. 9.30.470 Water Sources

Add Section 4715.2 to read:

4715.2 Water Sources. The point at which a water source is available for use shall be located not more than 600 feet from all portions of the exterior walls of the building and be approved by the code official. The distance shall be measured along an unobstructed line of travel.

Water sources shall have a minimum usable water volume as determined by the adequate water supply needs in accordance with Section 4715.4. This water source shall be equipped with an approved hydrant. The water source shall be provided and maintained by a recognized water purveyor, mutual water company or water pumped from a well. The design, construction, location, water level maintenance, access, and access maintenance of man-made water sources shall be approved by the code official.

Sec. 9.30.475 Hydrants

Add Section 4715.3 to read:

4715.3 Hydrants. All hydrants shall be designed and constructed in accordance with nationally recognized standards. The location and access shall be approved by the code official.

Sec. 9.30.480 Adequate Water Supply

Add Section 4715.4 to read:

4715.4 Adequate Water Supply. Adequate fire protection water supplies shall be as follows:

- 1. One- And Two-Family Dwellings.** The required fire protection water supply for one- and two- family dwellings shall be in accordance with Appendix B.

The water supply duration need not exceed 30 minutes.

- 2. Buildings Other Than One- And Two-Family Dwellings.** The water supply required for buildings other than one-and two-family dwellings shall be in accordance with Appendix B.

Exception:

The water supply duration need not exceed 2 hours.

Sec. 9.30.485 Obstructions

Add Section 4715.5 to read:

4715.5 Obstructions. Access to all water sources required by this code shall be unobstructed at all times. The code official shall not be deterred or hindered from gaining immediate access to water source equipment, fire protection equipment or hydrants.

Sec. 9.30.490 Identification

Add Section 4715.6 to read:

4715.6 Identification. Water sources, hydrants and fire protection equipment shall be clearly identified in a manner approved by the code official to identify location and to prevent obstruction by parking and other obstructions.

Sec. 9.30.495 Testing and Maintenance

Add Section 4715.7 to read:

4715.7 Testing And Maintenance. Water sources, hydrants and other fire protection equipment required by this code shall be subject to periodic tests as required by the code official. All such equipment installed under the provisions of this code shall be maintained in an operative condition at all times and shall be repaired or replaced where defective. Additions, repairs, alterations and servicing of such fire protection equipment and resources shall be in accordance with approved standards.

Sec. 9.30.500 Clearance of Fuel

Add Section 4715.8 to read:

4715.8 Clearance Of Fuel. Defensible space shall be provided around water tank structures, water supply pumps and pump houses in accordance with Section 4707.

Sec. 9.30.505 Standby Power

Add Section 4715.9 to read:

4715.9 Standby Power. Stationary water supply facilities within the wildland-urban interface 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 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.

AUTOMATIC FIRE SPRINKLER SYSTEMS

Sec. 9.30.510 Automatic Fire Sprinkler Systems- General

Add Section 4716.1 to read:

4716.1 General. Buildings and structures located in wildland-urban interface areas shall be provided with automatic fire sprinkler protection in accordance with this chapter.

Sec. 9.30.515 Fire Sprinklers-New Buildings

Add Section 4716.2 to read:

4716.2 New Buildings. An approved automatic fire sprinkler system shall be provided throughout all new buildings located in the wildland-urban interface area.

Exception:

Accessory structures to single-family residences that are non-residential and that have a gross floor area of 500 square feet or less.

Sec. 9.30.520 Fire Sprinklers-Existing Buildings

Add Section 4716.3 to read:

4716.3 Existing Buildings. An approved automatic fire sprinkler system shall be provided throughout all existing buildings located in the wildland-urban interface area when modifications are made that increase the gross floor area.

Exception:

One-time additions to existing buildings made after 01/01/08 that do not exceed 500 square feet in gross floor area.

GENERAL REQUIREMENTS FOR VEGETATION CLEARANCE

Sec. 9.30.525 General Requirements for Vegetation Clearance

Add Section 4717.1 to read:

4717.1 Scope. The provisions of this section establish general requirements for vegetation clearances.

Sec. 9.30.530 Clearance of Brush or Vegetative Growth from Roadways

Add Section 4717.2 to read:

4717.2 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.

Sec. 9.30.535 Clearance of Brush and Vegetative Growth from Electrical and Distribution-General

Add Section 4717.3 to read:

4717.3 General. Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with Section 4717.4 through Section 4717.7

Exception:

Section 4717.3 does not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.

Sec. 9.30.540 Support Clearance

Add Section 4717.4 to read:

4717.4 Support Clearance. Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time as designated by the code official.

Exception:

Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by a public utility.

Sec. 9.30.545 Electrical Distribution and Transmission Line Clearances-General

Add Section 4717.5 to read:

4717.5 General. Clearances between vegetation and electrical lines shall be in accordance with 4717.6 and 4717.7.

Sec. 9.30.550 Trimming Clearance

Add Section 4717.6 to read:

4717.6 Trimming Clearance. At the time of trimming, clearances not less than those established by Table 4717.6 shall be provided. The radial clearances shown below are minimum clearances that shall be established, at time of trimming, between the vegetation and the energized conductors and associated live parts.

Sec. 9.30.555 Minimum Clearances Between Vegetation and Electrical Lines

Add Table 4717.6 to read:

TABLE 4717.6
MINIMUM CLEARANCES BETWEEN VEGETATION
AND ELECTRICAL LINES AT TIME OF TRIMMING

LINE VOLTAGE	MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet)
2,400-72,000	4
72,001-110,000	6
110,001-300,000	10
300,001 or more	15

For SI: 1 foot = 304.8 mm.

Exception:

The code official is authorized to establish minimum clearances different than those specified by Table 4717.2.4.3.2 when evidence substantiating such other clearances is submitted to and approved by the code official.

Sec. 9.30.560 Minimum Clearance to be Maintained

Add Section 4717.7 to read:

4717.7 Minimum Clearance To Be Maintained. Clearances not less than those established by Table 4717.7 shall be maintained during such periods of time as designated by the code official. The site-specific clearance achieved, at time of pruning, shall vary based on species growth rates, the utility company-specific trim cycle, the potential line sway due to wind, line sag due to electrical loading and ambient temperature and the tree's location in proximity to the high voltage lines.

Exception:

The code official is authorized to establish minimum clearances different than those specified by 4717.7 when evidence substantiating such other clearances is submitted to and approved by the code official.

Sec. 9.30.565 Minimum Clearances between Vegetation and Electrical Lines

Add Table 4717.7 to read:

TABLE 4717.7
MINIMUM CLEARANCES BETWEEN VEGETATION AND
ELECTRICAL LINES TO BE MAINTAINED

LINE VOLTAGE	MINIMUM CLEARANCE (inches)
750-35,000	6
35,001-60,000	12
60,001-115,000	19
115,001-230,000	30.5

230,001-500,000	115
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For SI: 1 inch = 25.4 mm.

Sec. 9.30.570 Electrical Power Line Emergencies

Add Section 4717.8 to read:

4717.8 Electrical Power Line Emergencies. During emergencies, the utility shall perform the required work to the extent necessary to clear the hazard. An emergency can include situations such as trees falling into power lines, or trees in violation of Table 4717.7.

Sec. 9.30.575 Correction of Condition

Add Section 4717.9 to read:

4717.9 Correction Of Condition. The code official is authorized to give notice to the owner of the property on which conditions regulated by Section 4717.3 exist to correct such conditions. If the owner fails to correct such conditions, the legislative body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such condition exists.

ACCESS RESTRICTIONS

Sec. 9.30.580 Restricted Entry to Public Lands

Add Section 4718.1 to read:

4718.1 Restricted Entry To Public Lands. The code official is authorized to determine and publicly announce when wildland-urban interface areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildland-urban interface areas, except public roadways, inhabited areas or established trails and campsites that have not been closed during such time when the wildland-urban interface area is closed to entry, is prohibited.

Exceptions:

1. Residents and owners of private property within wildland-urban interface 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. 9.30.585 Trespassing on Posted Private Property-General

Add Section 4718.2 to read:

4718.2 General. When the code official determines that a specific area within an wildland-urban interface area presents an exceptional and continuing fire danger because

of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be restricted or closed until changed conditions warrant termination of such restriction or closure. Such areas shall be posted in accordance with Section 4718.3.

Sec. 9.30.590 Signs

Add Section 4718.3 to read:

4718.3 Signs. Approved signs prohibiting entry by unauthorized persons and referring to this code shall be placed on every closed area.

Sec. 9.30.595 Trespassing

Add Section 4718.4 to read:

4718.4 Trespassing. Entering and remaining within areas closed and posted is prohibited. Exception: Owners and occupiers of private or public property within closed and posted areas; their guests or invitees; authorized persons engaged in the operation and maintenance of necessary utilities such as electrical power, gas, telephone, water and sewer; and local, state and federal public officers and their authorized agents acting in the course of duty.

Sec. 9.30.600 Use of Fire Roads and Defensible Space

Add Section 4718.5 to read:

4718.5 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:

Public 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.

Sec. 9.30.605 Use of Motorcycles Motor Scooters, Ultra Light Aircraft and Motor Vehicles

Add Section 4718.6 to read:

4718.6 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 wildland-urban interface areas, without a permit by the code official, except on clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

Sec. 9.30.610 Tampering with Locks, Barricades, Signs and Address Markers

Add Section 4718.7 to read:

4718.7 Tampering With Locks, Barricades, Signs And Address Markers. Locks, barricades, seals, cables, signs and address markers installed within wildland-urban interface areas, by or under the control of the code official, shall not be tampered with, mutilated, destroyed or removed.

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

IGNITION SOURCE CONTROL

Sec. 9.30.615 Clearance from Ignition Sources

Add Section 4719.1 to read:

4719.1 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 4719.2 to read:

4719.2 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 code official.

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

Add Section 4719.3 to read:

4719.3 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 areas without a permit from the 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 Areas Prohibited

Add Section 4719.4 to read:

4719.4 Fireworks. Fireworks shall not be used or possessed in wildland-urban interface areas.

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

Add Section 4719.5 to read:

4719.5 General. No person shall build, ignite or maintain any outdoor fire of any kind for any purpose in or on any wildland-urban interface area, except by the authority of a written permit from the 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 4719.6 to read:

4719.6 Permits. Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or on hazardous 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 4719.7 to read:

4719.7 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 4719.8 to read:

4719.8 Outdoor Fireplaces, Permanent Barbecues And Grills. Outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in wildland-urban interface areas without approval of the code official.

Outdoor fireplaces, permanent barbecues and grills shall be 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.

Exception:

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

Sec. 9.30.655 Reckless Behavior

Add Section 4719.9 to read:

4719.9 Reckless Behavior. The code official is authorized to stop any actions of a person or persons if the official determines that the action is reckless and could result in an ignition of fire or spread of fire.

Sec. 9.30.660 Planting Vegetation Under or Adjacent to Energized Electrical Lines

Add Section 4719.10 to read:

4719.10 Planting Vegetation Under Or Adjacent To Energized Electrical Lines. No vegetation shall be planted under or adjacent to energized power lines that, at maturity, shall grow within 10 feet (3048 mm) of the energized conductors.

CONTROL OF STORAGE

Sec. 9.30.675 Location Liquefied Petroleum Gas Containers

Add Section 4720.1 to read:

4720.1 Location of Containers. LP-gas containers shall be located within the defensible space in accordance with the California Fire Code.

Sec. 9.30.680 Explosives within Wildland-Urban Interface Areas Prohibited

Add Section 4720.2 to read:

4720.2 Explosives. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within wildland-urban interface areas.

Sec. 9.30.685 Outside Storage of Combustible Materials-General

Add Section 4720.3 to read:

4720.3 General. Outside storage of combustible materials such as, but not limited to, wood, rubber tires, building materials or paper products shall comply with the other applicable sections of this code and Sections 4720.6 through 4720.9.

Sec. 9.30.690 Individual Piles

Add Section 4720.4 to read:

4720.4 Individual Piles. Individual piles of combustible materials shall not exceed 5,000 square feet (465 m²) of contiguous area. Piles shall not exceed 50,000 cubic feet (1416 m³) in volume or 10 feet (3048 mm) in height.

Sec. 9.30.695 Separation Between Piles

Add Section 4720.5 to read:

4720.5 Separation. A clear space of at least 40 feet (12 192 mm) shall be provided between piles. The clear space shall not contain combustible material or non-fire-resistive vegetation.

Sec. 9.30.700 Storage of Firewood and Combustible Materials-General

Add Section 4720.6 to read:

4720.6 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. When required by the code official, storage of firewood and combustible material stored in the defensible space shall be located a minimum of 20 feet (6096 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).

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

Add Section 4720.7 to read:

4720.7 Storage For Off-Site Use. Firewood and combustible materials not for consumption on the premises shall be stored so as to not pose a hazard.

DUMPING

Sec. 9.30.710 Waste Material

Add Section 4721.1 to read:

4721.1 Waste Material. Waste material shall not be placed, deposited or dumped in wildland-urban interface areas, or in, on or along trails, roadways or highways or against structures in wildland-urban interface areas.

Exception:

Approved public and approved private dumping areas.

Sec. 9.30.715 Ashes and Coals

Add Section 4721.2 to read:

4721.2 Ashes And Coals. Ashes and coals shall not be placed, deposited or dumped in or on wildland-urban interface 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 4722.1 to read:

4722.1 Fuel Modification Area. Water storage and pumping facilities shall be provided with a defensible space of not less than 30 feet (9144 mm) clear of non-fire-resistive vegetation or growth around and adjacent to such facilities.

Persons owning, controlling, operating or maintaining water storage and pumping systems requiring this defensible space are responsible for clearing and removing nonfire-resistive vegetation and maintaining the defensible space on the property owned, leased or controlled by said person.

Sec. 9.30.725 Trees that Extend to Within 30 Feet of Water Storage

Add Section 4722.2 to read:

4722.2 Trees. Portions of trees that extend to within 30 feet (9144 mm) of combustible portions of water storage and pumping facilities shall be removed.

Sec. 9.30.730 Protection of Electrical Power Supplies

Add Section 4722.3 to read:

4722.3 Protection Of Electrical Power Supplies. When electrical pumps are used to provide the required water supply, such pumps shall be connected to a standby power source to automatically maintain electrical power in the event of power loss. The standby power source shall be capable of providing power for a minimum of two hours in accordance with the Electrical Code.

Exception:

A standby power source is not required where the primary power service to pumps are underground as approved by the code official.

LAND USE LIMITATIONS

Sec. 9.30.735 Temporary Fairs, Carnivals and Public Exhibitions-General

Add Section 4723.1 to read:

4723.1 General. Temporary fairs, carnivals, public exhibitions and similar uses must comply with all other provisions of this code in addition to enhanced ingress and egress requirements.

Sec. 9.30.740 Permits for Temporary Fairs, Carnivals and Public Exhibitions

Add Section 4723.2 to read:

4723.2 Permits. Temporary fairs, carnivals, public exhibitions or similar uses shall not be allowed in a designated wildland-urban interface area, except by permit from the code official. Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property.

APPENDIX 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 Appendix 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.

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

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 _____, 20__ 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 _____, 20__ This ordinance takes effect 30 days after it is adopted.

COUNCIL MEMBERS:

AYES:

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

RESOLUTION NO.

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
MAKING FINDINGS FOR MODIFYING UNIFORM BUILDING AND FIRE CODES

WHEREAS:

A. Section 17958 of the Health and Safety Code requires that cities choose between adopting ordinances and regulations imposing uniform codes setting rules and regulations for building, fire, mechanical, plumbing, electrical, and housing, or submitting to the regulations adopted by the state Department of Housing and Community Development.

B. The Town of Los Gatos, in Chapters 6 and 9 of the Town Code, had previously adopted the uniform codes.

C. On January 30, 2007, the State of California adopted new uniform codes, which the Town must adopt before January 1, 2008.

D. Sections 17958.5 and 17958.7 of the Health and Safety Code permits cities to modify the uniform code requirements if it makes an express finding that such modification is reasonably necessary because of local climatic, geological, or topographical conditions.

E. On November 5, 2007, the Town Council voted to introduce an ordinance adopting the new uniform codes with modifications.

F. The Town of Los Gatos experiences low humidity, high winds and warm temperatures during the summer months creating conditions which are particularly conducive to the ignition and spread of grass, brush and structure fires.

G. The Town of Los Gatos is situated adjacent to active earthquake faults capable of producing substantial seismic events.

H. The Town of Los Gatos is partially located in rugged, steep, and heavily vegetated hillsides accessible over limited roadways that are in areas steep, narrow, and circuitous.

I. Because the Town is divided by a creek, freeways and other traffic corridors, and is partially located in hillside areas with limited access, the occurrence of a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more bridges collapse or be substantially damaged. Additionally, fire suppression capabilities will be severely limited should the water system be extensively damaged during the seismic event.

H. Due to these climatic, geological, and topographical conditions, mitigation measures are necessary such as automatic fire suppression systems, communications systems, access to buildings,

seismic protection, safety controls for hazardous materials and other safe guards in order to minimize the risks to citizens, firefighters, and property resulting from the severity of fire threat and potential delays in responding to such threats.

RESOLVED:

Modifications to the uniform codes contained in an ordinance introduced by the Town Council on November 5, 2007, are reasonably necessary to address the climatic, geological, and topographical conditions described herein above.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California held on the day of , 20 , by the following vote:

COUNCIL MEMBERS:

AYES:

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

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