

ORDINANCE 2257

ORDINANCE OF THE TOWN OF LOS GATOS REPEALING AND REPLACING CHAPTER 6, BUILDING REGULATIONS, AND CHAPTER 9, FIRE PREVENTION AND PROTECTION OF THE TOWN OF LOS GATOS MUNICIPAL CODE AND ADOPTING NEW 2016 CALIFORNIA BUILDING AND FIRE CODES

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

WHEREAS, the California Building Standards Commission completed the adoption and approval of 11 new building codes on December 15, 2015, and local jurisdictions are required to adopt these codes by January 1, 2017; and

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

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

WHEREAS, the Town of Los Gatos is proposing to adopt the 2015 International Property Maintenance Code and portions of the 2015 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 DOES ORDAIN AS FOLLOWS:

SECTION I

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

ARTICLE I. IN GENERAL (reserved)

ARTICLE II. ADMINISTRATION OF CODES

Sec. 6.20.010. Conflicting Provisions.

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

ARTICLE III. BUILDING CODE

Sec. 6.30.010. Adopted.

The 2015 International Building Code (IBC) as amended by the State of California Building Standards Commission and known as the 2016 California Building Code (CBC), CCR Title 24, Part 2, Volumes 1 and 2, with Appendix Chapters B, I and J, with modifications provided in sections 6.30.020 through 6.30.180 of this article, is adopted by reference.

The 2013 California Administrative Code, California Code of Regulations, Title 24, Part 1, is also adopted by reference.

Sec. 6.30.020. Fire Protection Systems.

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

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

Sec. 6.30.030. Roof Drainage.

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

Over Public Property.

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

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

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

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

1505.1.4.1 Roofing coverings within Wildland-Urban Interface Fire Area.

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

Roofing requirements for structures located in a Wildland-Urban Interface Fire Area shall also comply with Section 705A.

Section 1501.1.3 is amended to read:

1505.1.3 Roof coverings in all other areas.

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

707A.9 Underside of appendages. The underside of overhanging appendages shall be enclosed to grade in accordance with the requirements of this chapter or the underside of the exposed under-floor shall consist of one of the following:

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

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

Section 710A.3.2 is deleted in its entirety.

Section 710A.4 is amended to read as follows:

710A.4. Requirements. Accessory structures shall be constructed of noncombustible or ignition-resistant materials.

Sec. 6.30.060. Concrete Strength.

Section 1705.3, Exception 1 of the California Building Code adopted by this article is amended to read as follows:

Exception: Special inspections and tests shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi).

Sec. 6.30.070. Modification to ACI 318.

Section 1905.1.7 is amended to read as shown below, Section 1908.1.7 ACI 318, Section 14.1.4 is deleted and replaced to read as follows:

1905.1.7 ACI 318, Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:

14.1.4 – Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

14.1.4.1 – Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

- (a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one and two-family dwellings, three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

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

Exceptions: In detached one and two-family dwellings, three stories or less in height, and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

Sec. 6.30.080. Bracing. Section 2308.9.3 of the California Building Code adopted by this article is amended by deleting Item(s) 1, 2, 4, 5 and 7.

Sec. 6.30.085. Pool construction permit; safety features required. Portions of the 2016 California Building Code Section 3109.4.4.2 are amended by deleting Item(s) 2 and 6, and amending Item 4 as follows:

3109.4.4.2 Construction permit; safety features required. Commencing January 1, 2007, except as provided in Section 3109.4.4.5, whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling of an existing pool or spa, at a private single-family home, it shall be equipped with at least one of the following drowning prevention features:

- 4. The residence shall be equipped with exit alarms on those doors providing direct access to the pool. These exit alarms shall be permanently, physically attached to the door frames and doors.*

Note: These in-pool alarms are only allowed as a supplement to the other safety features.

Sec. 6.30.090. IBC Oversight. The California adoption of the new 2015 International Building Code may have inadvertently eliminated some construction requirements by oversight or erroneous reference to another code. In cases where the code adoption has inadvertently deleted or missed referenced necessary construction requirements, the Town of Los Gatos Building Official may authorize use of construction requirements from the last previously adopted International Codes.

Sec. 6.30.100. Information on construction documents. Administration Chapter 1, Division II, Section 107.2.1 of the 2016 California Building Code adopted by this article is amended to have the first sentence modified to read as follows:

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

Sec. 6.30.170. Schedule of permit fees. Administration Chapter 1, Division II, Section 109.2 of the 2013 California Building Code adopted by this article states that "... a fee for each permit shall be as required, in accordance with the schedule established by the applicable governing authority (Town of Los Gatos).

109.7. Plan Review Fees. Add Section 109.7 as follows:

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

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

Sec. 6.30.180. Refunds. Administration Chapter 1, Section 109.6 of the 2016 California Building Code adopted by this article is amended to add Section 109.6.1:

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

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

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

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

ARTICLE IV. PLUMBING CODE

Sec. 6.40.010. Adopted.

The Uniform Plumbing Code, 2015 Edition, as amended by the State of California Building Standards Commission, California Code of Regulations, Title 24, Part 5, as the 2016 California Plumbing Code is adopted with Appendix Chapters A, B, D, G, I, K, and L only.

Sec. 6.40.020. Backflow protection.

The first sentence of Subsection 710.1 of the California 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), 2015 Edition, amended by the State of California Building Standards Commission, CCR Title 24, Part 4, as the 2016 California Mechanical Code is adopted by reference with Appendix Chapters A and B only.

ARTICLE VI. ELECTRICAL CODE

Sec. 6.60.010. Adopted.

The National Electrical Code, 2014 Edition, as amended by the State of California Building Standards Commission, CCR Title 24, Part 3, as the 2016 California Electrical Code is adopted by reference.

ARTICLE VII. ENERGY CODE

Sec. 6.70.010. Adopted.

The 2016 California Energy Code, CCR Title 24, Part 6 is adopted by reference.

ARTICLE VIII. REFERENCE STANDARDS CODE

Sec. 6.80.010. Adopted.

The 2016 California Referenced Standards Code, CCR Title 24, Part 12, is adopted by reference.

ARTICLE IX. HISTORICAL BUILDING CODE

Sec. 6.90.010. Adopted.

The 2016 California Historical Building Code, CCR Title 24, Part 8 including Appendix A is adopted by reference.

ARTICLE X. EXISTING BUILDING CODE

Sec. 6.100.010. Adopted.

The 2015 International Existing Building Code (IEBC), specifically Appendix Chapter A1, as amended in by the State of California Building Standards Commission and known as the 2016 California Existing Building Code CCR Title 24, Part 10, is adopted by reference.

Sec. 6.100.020. Additional Chapters Adopted.

The following Chapters of the 2015 International Existing Building Code, as published by the International Code Council (ICC) are also adopted:

Chapter 9
Chapter 14
Appendix A2
Appendix A3
Appendix A4
Appendix A5

ARTICLE XI. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 6.110.010. Adopted.

The 2015 International Property Maintenance Code, as published by International Code Council (ICC), is adopted by reference.

Sec. 6.110.020. Application of other codes.

Subsection 102.3 of 2015 International Property Maintenance Code adopted by this Article is amended to read as follows:

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

ARTICLE XII. CALIFORNIA GREEN BUILDING STANDARDS CODE

Sec. 6.120.010. Adopted.

Chapters 1 through 8 of the 2016 California Green Building Standards Code, "CALGreen", are adopted by reference. These are the unmodified Mandatory Measures and Compliance Forms.

ARTICLE XIII.

Sec. 6.130.010. Additions and alterations. Clarification. Section 301.1.1 Additions and alterations is clarified as follows:

301.1.1. Additions and alterations. [HCD] The mandatory provisions of Chapter 4 shall be applied to additions or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume, or size. The requirements shall apply only to and/or within the specific area of the addition or alteration.

Note: On and after January 1, 2014, residential buildings undergoing permitted alterations, additions or improvements shall replace noncompliant plumbing fixtures with water-conserving plumbing fixtures. Plumbing fixture replacement is required prior to issuance of a certificate of final completion, certificate of occupancy or final permit approval by the local building department. See Civil Code Section 1101.1, et seq., for the definition of a noncompliant plumbing fixture, types of residential buildings affected and other important enactment dates.

Clarification: Based on definitions found within the California Building Code and the California Green Building Standards Code, alteration and improvements are interpreted to mean any construction to an existing structure which enhance or improve the structure.

Construction related to repairs or maintenance of the structure is not considered to be an alteration or improvement. **Alteration**, as defined in the 2013 California Building Code, states in part; *"Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility."* Therefore, permits can be issued for property maintenance and repair without the requirement to replace noncompliant plumbing fixtures. The following is a list of permits that are considered to be repair or maintenance:

- Electrical Service Change Out
- HVAC Change Out
- Re-Roof
- Sewer Line Replacement
- Siding or Stucco application
- Site Work: Retaining Walls, Fences, Walkways, etc.
- Water heater Replacement
- Window Replacement
- Other Repairs as determined by the Building Official

ARTICLE XIV. BUILDING RELOCATION CODE OF THE TOWN

DIVISION 1. GENERALLY

Sec. 6.140.010. Title.

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

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

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

DIVISION 2. PERMIT

Sec. 6.140.030. Required, exceptions.

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

Sec. 6.140.040. Application.

An application for a permit required by the provisions of this division shall be made in writing on the form provided by the Town. The application shall:

- (1) Be signed by the permittee or the permittee's authorized agent (who may be required to submit evidence proving authority);
- (2) Be accompanied by plans, photographs or other substantiating data as reasonably may be required by the Building Official; and
- (3) Contain such information as reasonably may be required by the Building Official in order to carry out the purposes of this chapter.

Sec. 6.140.050. Review of application, duty of applicant.

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

Sec. 6.140.060. Issuance, fees.

(a) Subject to the requirements contained in this article, if in the judgment of the Building Official the conditions of the building or structure can be effectively and practically repaired or restored to comply with this Code, the Building Official shall issue a permit to the owner of the property where the building or structure is to be located.

(b) A permit fee shall be paid at the time of issuance of the permit. The amount of the fee shall be fixed by resolution of the Town Council.

Sec. 6.140.070. When issuance prohibited.

The Building Official shall not issue a permit under this division for any building or structure:

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

Sec. 6.140.080. Conditions of issuance.

In connection with the issuance of any permit under this division, the Building Official or the body granting architecture and site approval or both may attach to the permit such conditions which are necessary to assure compliance with the purposes of this article and the zoning ordinance, and to assure that the building or structure when relocated will be compatible with and not detrimental or injurious to the buildings or structures in the area of the proposed relocation. Such conditions may include, but are not limited to:

- (1) A limitation of the period of time required to complete the work of relocation;
- (2) Requirements for changes, alterations, additions or repairs;
- (3) The providing of all utility services by the time the building relocation is finished;
- (4) Provision for any improvement work or dedication provided for by the zoning ordinance;
- (5) The applicant's written agreement to indemnify the Town for any and all damages or injury to Town property incurred in the course of the moving, including but not limited to damage or injury to streets, thoroughfares, pavements, curbs, gutters, sidewalks, sewers, public lighting equipment and plants.

Sec. 6.140.090. Bond required.

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

(b) The applicant, in lieu of posting a surety bond, may deposit with the town an amount equal to the required bond amount, in cash.

Sec. 6.140.100. Conditions of bond.

A surety bond shall contain, and any deposit shall be subject to, the following conditions:

(1) All work, including performance of conditions of the permit (except for performance of conditions such as street improvements when provision is made in a contract with the Town to do the work at a later time) shall be performed and completed within one hundred twenty (120) days after the date of issuance of the permit. After that time, the permit expires.

(2) The time limit and expiration date of the permit may be extended for good cause after written request of both the principal and the surety. The request may be made either during or after the one-hundred-twenty-day period. If the Building Official decides to grant the request the Building Official shall notify the principal and surety in writing stating the new deadline. The Building Official need not grant the request if the work is not being done continuously and diligently, or if reasonable progress has not been made.

(3) The term of each bond shall begin on the date the bond instrument is delivered to the town, and shall end upon the acceptance by the Building Official of performance of all the terms and conditions of the permit as satisfactory and complete.

(4) The Building Official, the surety and their representatives shall have access to the premises to inspect the progress of the work.

(5) Upon default by the principal, the surety shall be required to complete the work and to perform all conditions of the permit. The principal shall give the surety right-of-entry onto the site for those purposes.

(6) In the event of any default in the performance of any term or condition of the permit, or failure to complete the work before the permit expires, the surety or any person employed or engaged on its behalf, or the building official, or any person employed or engaged on behalf of the Town may go on the premises to complete the required work or to remove or demolish the building or structure, and clear, clean and restore the site.

Sec. 6.140.110. Default on bond.

(a) If the permittee as principal on the bond defaults in the performance of the conditions required by the permit, or fails to complete the work before the permit expires, the Building Official shall give notice in writing to the principal and the surety, stating the conditions which have not been complied with and the period of time deemed by the Building Official to be reasonably necessary for the completion of the work.

(b) After receipt of the notice, the surety, within the time therein specified, shall finish the work. When the principal has defaulted in any way, the surety, at its option, in lieu of completing the work required, may remove or demolish the building or structure and clear, clean and restore the site.

Sec. 6.140.120. Bond other than surety bond--Default.

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

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

ARTICLE XV. CALIFORNIA RESIDENTIAL BUILDING CODE

Sec. 6.150.010. Adopted.

The 2016 California Residential Code, California Code of Regulations, Title 24, Part 2.5 is adopted by reference including Appendices A, B, C, D, E, G, H, J, K, O, P, and Q and as locally modified by the following Sections of this Article.

Sec. 6.150.020. Fire Protection Amendments.

CRC Section R313.1 is amended to read:

R313.1 Townhouse automatic fire sprinkler systems.

An automatic residential fire sprinkler system shall be installed in all new townhouses and in existing townhouses when additions are made that increase the building area to more than 3,600 square feet.

Exception: One or more additions made to an existing building after January 1, 2011 that do not total more than 1000 square feet of building area.

CRC Section R313.2 is amended to read:

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

1. In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 square feet.

Exception: One or more additions made to an existing building after January 1, 2011 that do not total more than 1000 square feet of building area.

2. In all new basements and in existing basements that are expanded.

Exception: Existing basements that are expanded by not more than 50%.

CRC Section R337.7.9 is amended as follows: Delete, "When required by the enforcing agency,"

CRC Section R337.10.3.2 is deleted in its entirety.

CRC Section R337.10.4 is amended as follows: Delete, "When required by the enforcing agency,"

CRC Section R902.1.4. is amended to read:

R902.1.4. Roofing coverings within the Wildland-Urban Interface Fire Area.

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

Roofing requirements for structures located in a Wildland-Urban Interface Fire Area shall also comply with **Section R337.5**.

CRC Section 902.1.3 is amended to read:

R902.1.3 Roof coverings in all other areas.

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

Sec. 6.150.030. Prohibit Plain Concrete in Footings.

Section R403.1.3 of the California Residential Code adopted by this Article is amended to read as follows:

R403.1.3 Seismic reinforcing.

Concrete footings located in Seismic Design Categories Do, D1, and D2, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal

reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

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

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

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

Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, plain concrete footings without longitudinal reinforcement supporting walls and isolated plain concrete footings supporting columns or pedestals are **not permitted**.

Sec. 6.150.040. Limits on methods using Gypsum Board and Cement Plaster.

Section R602.10.4 and Table R602.10.3(3) of the California Residential Code adopted by this Article are amended as follows:

Add a new subsection **R602.10.4.4**, to read:

R602.10.4.4 Limits on methods Gypsum Board and Portland Cement Plaster

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

Add a new footnote “f” to the end of CRC Table **R602.10.3(3)**, to read:

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

Add the “f” footnote notation in the title of Table **R602.10.3(3)** to read:

TABLE R602.10.3(3)^f

Sec. 6.150.050. Work exempt from permit.

CRC Section R105.2 Work exempt from permit.

Building: Item 2. is amended to read:

2. Fences not over 6 feet high.

Sec. 6.150.60 Pool construction permit; safety features required. Portions of the 2013 California Residential Code Appendix Section AG100.2 are amended by deleting Item(s) 2 and 6, and amending Item 4 as follows:

AG100.2 Construction permit; safety features required. Commencing January 1, 2007, except as provided in Section 3109.4.4.5, whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling of an existing pool or spa, at a private single-family home, it shall be equipped with at least one of the following drowning prevention features:

4. *The residence shall be equipped with exit alarms on those doors providing direct access to the pool. These exit alarms shall be permanently, physically attached to the doors and door frames.*

Note: These in-pool alarms are only allowed as a supplement to the other safety features.

SECTION II

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

Sec. 9.30.005. Adoption of 2016 CFC and 2015 IFC

Adoption of the 2016 California Fire Code and 2015 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 2016 California Fire Code and also the International Fire Code 2015 Edition, including Appendix Chapters B, C, J, and N 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, 2017 the provision thereof shall be controlling within the limits of the Town.

Sec. 9.30.010. 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 5704.2.9.6.1 of the California Fire Code in which the storage of flammable or combustible liquids in aboveground tanks is prohibited are hereby established as all locations of the Town 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 aboveground tanks is prohibited.

The limits referred to in Section 5706.2.4.4 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. 9.30.020. Establishment of limits of districts in which storage of stationary tanks of flammable cryogenic fluids are to be prohibited.

The limits referred to in Section 5806.2 of the California Fire Code in which the storage of flammable cryogenic liquids 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. 9.30.025. Establishment of limits in which storage of liquefied petroleum gases is prohibited.

The limits referred to in Section 6104.2 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.

Chapter 1, Division II Administration

Chapter 1 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 105 PERMITS

Sec. 9.30.745. Construction permit fees.

Section 105.1.7 is added to read as follows:

105.1.7 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.

<u>TOTAL VALUATIONS</u>	<u>PERMIT FEE</u>
<u>\$1.00 TO \$500.00</u>	<u>\$23.50</u>
<u>\$501.00 TO \$2,000.00</u>	<u>\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00</u>
<u>\$2001.00 TO \$25,000.00</u>	<u>\$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</u>
<u>\$25,001.00 TO \$50,000.00</u>	<u>\$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</u>
<u>\$50,001.00 TO \$100,000.00</u>	<u>\$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</u>
<u>\$100,001.00 to \$500,000.00</u>	<u>\$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</u>
<u>\$500,001 to \$1,000,000.00</u>	<u>\$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</u>
<u>\$1,000,001 and up</u>	<u>\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00, or fraction thereof</u>
Additional re-inspections, in connection with the permits above, are to be paid at \$112.00 for each occurrence at the discretion of the fire code official.	
Cancelled inspections without advance notice are to be paid at \$112.00 for each occurrence.	

Sec. 9.30.750. Operational permit fees.

Section 105.1.8 is added to read as follows:

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

<u>FACILITY TYPE</u>	<u>PERMIT FEE</u>
1. <u>Institutional</u>	
<u>A. More than 6 persons</u>	<u>\$75.00 - Annually</u>
<u>B. Over 50 persons</u>	<u>\$100.00 - Annually</u>
<u>Day Care Facilities</u>	
<u>More than 6 clients</u>	<u>\$35.00 - Annually</u>
3. <u>Places of Assembly</u>	
<u>A. 50-300 persons</u>	<u>\$50.00 - Annually</u>
<u>B. Over 300 persons</u>	<u>\$85.00 - Annually</u>

4.	<u>Temporary Membrane Structures, Tents and Canopies (Only those requiring permits in accordance with Section 105.6.43).</u>	<u>\$85.00 – Each occurrence</u>

Sec. 9.30.755. Compressed gas permits.

Amend Table 105.6.9 to read:

**TABLE 105.6.9
PERMIT AMOUNTS FOR COMPRESSED GASES**

TYPE OF GAS	AMOUNT cubic feet at NTP
Corrosive	200
Flammable (except cryogenic and liquefied petroleum gases)	200
Highly toxic	Any amount
Inert and simple asphyxiant ^a	6,000
Moderately toxic	20
Other health hazard	200
Oxidizing (including oxygen)	504
Pyrophoric	Any amount
Toxic	Any amount

For SI: 1 cubic foot = 0.02832 m³

- a. For carbon dioxide used in beverage dispensing applications, see Section 105.6.4.

Sec. 9.30.760. Flammable and combustible liquids.

105.6. 17 Flammable and combustible liquids. An operational permit is required:

- To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the offsite transportation in pipelines regulated by the Department of Transportation (DOT) nor does it apply to piping systems.
- To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:
 - The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire code official, would cause an unsafe condition.
 - The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purpose for a period of not more than 30 days.
- To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in

connection with oil burning equipment.

4. To store, handle or use Class IIIB liquids I tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

Exception: Fuel oil and used motor oil used for space heating or water heating.

5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary onsite pumps normally used for dispensing purposes.
6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries, and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.
7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or combustible liquid tank.
8. To change the type of contents stored in a flammable or combustible liquid tank to a materials that poses a greater hazard than that for which the tank was designed and constructed.
9. To manufacture, process, blend or refine flammable or combustible liquids.
10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.
11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.

Sec. 9.30.765. Permit amounts for hazardous materials.

Table 105.6.21 is amended to read as follows:

TABLE 105.6.21
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS
TABLE INSET:

TYPE OF MATERIAL	AMOUNT
Combustible liquids	See Section 105.6.17
Corrosive materials	
Gases	See Section 105.6.9
Liquids	55 gallons
Solids	500 pounds
Explosive materials	See Section 105.6.15

Flammable materials Gases Liquids Solids	See Section 105.6.9 See Section 105.6.17 100 pounds
Highly toxic materials Gases Liquids Solids	See Section 105.6.9 Any Amount Any Amount
Moderately toxic materials Gases	See Section 105.6.9
Other health hazard materials Gases Liquids Solids	See Section 105.6.9 55 gallons 500 pounds
Oxidizing materials Gases Liquids Class 4 Class 3 Class 2 Class 1 Solids Class 4 Class 3 Class 2 Class 1	See Section 105.6.9 Any Amount 1 gallon ^a 10 gallons 55 gallons Any Amount 10 pounds ^b 100 pounds 500 pounds
Organic peroxides Liquids Class I Class II Class III Class IV Class V Solids Class I Class II Class III Class IV Class V	 Any Amount Any Amount 1 gallon 2 gallons No Permit Required Any Amount Any Amount 10 pounds 20 pounds No Permit Required
Pyrophoric materials Gases Liquids Solids	Any Amount Any Amount Any Amount

Toxic materials Gases Liquids Solids	See Section 105.6.9 10 gallons 100 pounds
Unstable (reactive) materials Liquids Class 4 Class 3 Class 2 Class 1 Solids Class 4 Class 3 Class 2 Class 1	Any Amount Any Amount 5 gallons 10 gallons Any Amount Any Amount 50 pounds 100 pounds
Water-reactive materials Liquids Class 3 Class 2 Class 1 Solids Class 3 Class 2 Class 1	Any Amount 5 gallons 55 gallons Any Amount 50 pounds 500 pounds

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

- a. 20 gallons when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 20 gallons or less.
- b. 200 pounds when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 200 pounds or less.

Sec. 9.30.770. Day care facility permit.

Section 105.6.50 is added to read as follows:

105.6.50 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 105.6.51 is added to read as follows:

105.6.51 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.

Section 105.7.3 is amended to read as follows:

105.7.3 Compressed gases. A construction permit is required to install, any piped distribution system for compressed gases, or to install a non-flammable medical gas manifold system. A construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, close or substantially modify a compressed gas system.

Exceptions:

1. Routine maintenance.
2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

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. This 30-day period may be waived by the chief if there are special circumstances requiring such waiver.

Section 105.7.4 is amended to read as follows:

105.7.4 Cryogenic fluids. A construction permit is required for installation of or alteration to cryogenic fluid storage systems where the system capacity exceeds the amounts listed in Table 105.6.11. Maintenance performed in accordance with this code is not considered an alteration and does not require a construction permit.

SECTION 106 INSPECTIONS

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 109.4 is deleted

Chapter 2

DEFINITIONS

Chapter 2 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 202 **GENERAL DEFINITIONS**

The following definitions are added/amended:

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.

Add the following definition to read:

CORROSIVE LIQUID. Corrosive liquid is

1. any liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action;
2. any liquid having a pH of 2 or less or 12.5 or more;
3. any liquid classified as corrosive by the U.S. Department of Transportation; and
4. any material exhibiting the characteristics of corrosivity in accordance with Title 22, California Code of Regulations §66261.22.

Add the following definition to read:

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

Add the following definition to read:

MINIMUM THRESHOLD QUANTITY. Minimum threshold quantity is the aggregate of highly toxic, toxic or moderately toxic gases in a control area which, due to the minimum aggregate quantities, need only comply with the requirements set forth in Section 6004.1

Add the following definition to read:

MODERATELY TOXIC GAS. 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.

Add the following definition to read:

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

Amend the following definition to read:

WORKSTATION is a defined space or an independent principal piece of equipment using hazardous materials with a hazard rating of 3 or higher as ranked by NFPA 704 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.

Chapter 3

GENERAL PRECAUTIONS AGAINST FIRE

Chapter 3 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 316 HAZARDS TO FIREFIGHTERS

Add Section 316.7 to read: ***BUILDING STANDARD***

316.7 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.

Chapter 5 FIRE SERVICE FEATURES

Chapter 5 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 503 FIRE APPARATUS ACCESS ROADS

Amend Section 503.1 as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and as per fire department access road standards.

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), exclusive of shoulders, or as required by fire department access road standards, 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.

Amend Section 503.2.2 as follows:

503.2.2 Authority. The fire code official shall have the authority to require or permit modifications to the required access widths and/or vertical clearance where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

SECTION 504 ACCESS TO BUILDING OPENINGS AND ROOFS

Add Section 504.5 to read:

504.5 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 or within the building are installed, such devices shall be approved by the fire code official. All electrically powered access control devices shall be provided with an approved means for deactivation or unlocking from a single location or otherwise approved by the fire code official.

Access control devices shall also comply with Chapter 10 Egress.

Chapter 6

BUILDING SERVICES AND SYSTEMS

Chapter 6 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

Add Section 605.13 to read:

605.13 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.

Chapter 8

INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS

Chapter 8 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 806 DECORATIVE VEGETATION IN NEW AND EXISTING BUILDINGS

Amend Section 806.1.1 as follows:

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

Chapter 9

FIRE PROTECTION SYSTEMS

Chapter 9 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

Amend Section 903.2 to read:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.19 whichever is the more restrictive.

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

1. In other than residential buildings which require the installation of fire sprinklers for all new buildings according to the California Residential Code, an automatic sprinkler system shall be provided throughout all new buildings and structures.

Exceptions:

- a. Buildings and structures that do not exceed 1,000 square feet of building area and that are not located in the Wildland-Urban Interface Fire Area.
 - b. Buildings and structures that are located in the Wildland-Urban Interface Fire Area and do not exceed 500 square feet of building area.
 - c. Group S-2 or U occupancies that are not located in the Wildland-Urban Interface and used exclusively for vehicle parking and meeting all of the following conditions:
 - i. Noncombustible construction
 - ii. Maximum building area not to exceed 5,000 square feet
 - iii. Structure is open on three (3) or more sides
 - iv. Minimum of 10 feet separation from existing buildings unless area is separated by fire walls complying with CBC 706.
2. An automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or additions are made that create conditions described in Sections 903.2.1 through 903.2.19.
 3. An automatic sprinkler system shall be provided throughout existing buildings and structures, when additions are made that increase the building area to more than 3,600 square feet.

Exception: One or more additions made to a building after January 1, 2011 that do not total more than 1,000 square feet of building area.
 4. An automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.
 5. Any change in the character of occupancy or in use of any building with a building area equal to or greater than 3,600 square feet which, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety¹ or increased fire risk², shall require the installation of an approved fire automatic fire sprinkler system.

¹ Life Safety – Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities with non-ambulatory.

² Fire Risks – High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

Chapter 33

FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

Chapter 33 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 3304 PRECAUTIONS AGAINST FIRE

Add Section 3304.8 to read:

3304.8 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 3311 MEANS OF EGRESS

Building Standard

Amend Section 3311.1 as follows:

[B] 3311.1 Stairways required. Each level above the first story in multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

Exception:

For 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.).

Building Standard

Add Section 3311.1.1 to read:

Section 3311.1.1 Required means of egress. All buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in the prefire plan see Section 3308.2.

CHAPTER 49

REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS

Chapter 49 of the 2016 California Fire Code is adopted with the following amendments:

Amend Section 4902 as follows:

SECTION 4902 **DEFINITIONS**

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. 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 Town Clerk of the Town of Los Gatos.

SECTION 4906 **HAZARDOUS VEGETATION AND FUEL MANAGEMENT**

Amend Section 4906.2 to read:

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

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

SECTION 4907 **DEFENSIBLE SPACE**

Amend Section 4907.1 to read:

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

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

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

1. Maintain an effective defensible space by removing and clearing away flammable vegetation and combustible growth from areas within 30 feet (9144 mm) of such buildings or structures.

Exception: Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

2. Maintain additional effective defensible space by removing brush, flammable vegetation and combustible growth located 30 feet to 100 feet (9144 mm to 30480 mm) when required by the fire code official due to steepness of terrain or other conditions that would cause a defensible space of only 30 feet (9144 mm) to be insufficient.

Exception: Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

3. Remove portions of trees, which extend within 10 feet (3048 mm) of the outlet of a chimney.
4. Maintain trees adjacent to or overhanging a building free of deadwood; and
5. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.
6. Defensible space shall also be provided around water tank structures, water supply pumps and pump houses.
7. Remove flammable vegetation a minimum of 10 feet around liquefied petroleum gas tanks/containers.
8. Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. The storage of firewood and combustible material within the defensible space shall be located a minimum of 30 feet (6096 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).

Exception: Firewood and combustible materials not for consumption on the premises shall be stored as approved by the fire code official.

9. Clear areas within 10 feet (3048 mm) of fire apparatus access roads and driveways 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.

Add Section 4907.2 to read:

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

Add section 4908 to read:

SECTION 4908 FIRE PROTECTION PLAN

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

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

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

4908.4 Plan retention. The fire protection plan shall be retained by the fire code official.

Add Section 4909 to read:

SECTION 4909 WATER SUPPLY

4909.1 General. Buildings and structures, or portions thereof, hereafter constructed or relocated into or within the Wildland-Urban Interface Fire Area shall be provided with fire protection water supplies in accordance with Chapter 5 and Section 4909.2.

Exception:

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

4909.2 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.

Add Section 4910 to read:

SECTION 4910 IGNITION SOURCE CONTROL

4909.1 Fireworks. Fireworks shall not be used or possessed in the Wildland-Urban Interface Fire Area.

Chapter 50

HAZARDOUS MATERIALS-GENERAL PROVISIONS

Chapter 50 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 5001 GENERAL

Amend Section 5001.2.2.2 to read:

5001.2.2.2 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 and toxic materials.
2. Corrosive materials.
3. Moderately toxic gas.
4. Other health hazards.

SECTION 5003 GENERAL REQUIREMENTS

Add Section 5003.1.5 to read:

5003.1.5 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 6004.2 or 6004.3 shall be in accordance with this chapter and Chapter 60. Any toxic, highly toxic or moderately toxic material that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic or moderately toxic gases.

Add Section 5003.1.6 to read:

5003.1.6 Other health hazards. The storage, use and handling of materials classified as other health hazards including carcinogens, irritants and sensitizers in amounts exceeding 810 cubic feet for gases, 55 gallons for liquids and 5,000 pounds for solids shall be in accordance with Section 5003.

Add Section 5003.1.7 to read:

5003.1.7 Additional spill control and secondary containment requirements. In addition to the requirements set forth in Section 5004.2, an approved containment system is required for any quantity of hazardous materials, that 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. The approved containment system may be required to include a combination of spill control and secondary containment meeting the design and construction requirements set forth in Section 5004.2.

Amend Sec. 5003.2.2.1 to read:

5003.2.2.1 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 that are 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 the 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 where 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
Instability Class 3 or 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 and emergency shutoff or 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 or leaks shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Table 6004.1. 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.

Amend Section 5003.2.2.2 to read:

5003.2.2.2 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 shall be in accordance with ASME B31.3 and the following:

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

EXCEPTION: Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed space above other occupancies when installed in accordance with Section 415.11.6.4 of the California Building Code for Group H-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.

Amend Section 5003.3.1 as follows:

5003.3.1 Unauthorized discharges. Where 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 5003.3.1.1 through 5003.3.1.4.

Add Sec. 5003.5.2 to read:

5003.5.2 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.

Add Sec. 5003.5.3 to read:

5003.5.3 "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.

Add Sec. 5003.9.11 to read:

5003.9.11 Fire extinguishing systems for workstations dispensing, handling or using hazardous materials. Combustible and non-combustible workstations, which dispense, handle or use hazardous materials, shall be protected by an approved automatic fire extinguishing system in accordance with Section 2703.10.

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.

Amend California amendment Section 5003.10.4 to read:

5003.10.4 Elevators utilized to transport hazardous materials.

5003.10.4.1 When transporting hazardous materials, elevators shall have no other passengers other than in the individual(s) handling the chemical transport cart.

5003.10.4.2 Hazardous materials liquid containers shall have a maximum capacity of 20 liters (5.26 gal).

5003.10.4.3 Toxic, highly toxic and asphyxiant gases shall be limited to a container of a maximum water capacity of 1 lb.

5003.10.4.4 Means shall be provided to prevent the elevator from being summoned to other floors.

SECTION 5004 STORAGE

Amend Section 5004.2.1 as follows:

5004.2.1 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 the 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, including containment pallets in accordance with Section 5004.2.3.
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.

Amend Section 5004.2.2.2 as follows:

5004.2.2.2 Incompatible materials. Incompatible materials shall be separated from each other in independent secondary containment systems.

Amend Section 5004.2.3 as follows:

5004.2.3 Containment pallets. Combustible containment pallets shall not be used inside buildings to comply with Section 5004.2 where the individual container capacity exceeds 55 gallons (208 L) or an aggregate capacity of multiple containers exceeds 1,000 gallons (3785 L) for liquids or where the individual container capacity exceeds 550 pounds (250 kg) or an aggregate of multiple containers exceeds 10,000 pounds (4540 kg) for solids.

Where used as an alternative to spill control and secondary containment for outdoor storage in accordance with the exception in Section 5004.2, containment pallets shall comply with all of the following:

1. A liquid-tight sump accessible for visual inspection shall be provided;
2. The sump shall be designed to contain not less than 66 gallons (250L);
3. Exposed surfaces shall be compatible with material stored;
4. Containment pallets shall be protected to prevent collection of rainwater within the sump of the containment pallet.

Chapter 56

EXPLOSIVES AND FIREWORKS

Chapter 56 of the 2015 International Fire Code is adopted with the following amendments:

Amend Section 5601.1.3 to read:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.
2. Manufacture, assembly and testing of fireworks as allowed in Section 5605 *and Health and Safety Code Division 11.*
3. The use of fireworks for fireworks displays, *pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television theatrical or group*

*entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks
reprinted in Section 5608 and Health and Safety Code Division 11.*

Chapter 57

FLAMMABLE AND COMBUSTIBLE LIQUIDS

Chapter 57 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 5704 STORAGE

Amend section 5704.2.7.5.8 to read:

5704.2.7.5.8 Overfill prevention. An approved means or method in accordance with Section 5704.2.9.7.5 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 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350.

Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less provided an independent means of notifying the person filling the tank that the fluid level has reached 90 percent of tank capacity by providing an audible or visual alarm signal, or providing a tank level gauge marked at 90 percent of tank capacity.

An approved means or method in accordance with Section 5704.2.9.7.6 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

Add section 5704.2.7.5.9 to read:

5704.2.7.5.9 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.

SECTION 5707 ON-DEMAND MOBILE FUELING

5701.1 General. On-demand mobile fueling operations that dispense Class I, II, and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1.through 5707.7.

Exception: Fueling from an approved portable container in cases of an emergency or for personal use.

5707.1.1 Approval Required. Mobile fueling operations shall not be conducted without first obtaining a permit and approval from the fire code official. Mobile fueling operations shall only occur at approved locations.

5707.2 Mobile fueling vehicle. An on-demand mobile fueling vehicle shall be one of the following:

1. A tank vehicle complying with NFPA 385 that has chassis-mounted tanks or containers where the aggregate cargo capacity does not exceed 1200 gallons (4542 L).
2. A vehicle with one or more chassis-mounted tanks or containers that do not exceed 110 gallons (415 L) individual capacity and having an aggregate capacity that does not exceed 1200 gallons (4542 L).
3. A vehicle that carries a maximum of 60 gallons (227 L) of motor fuel in metal safety cans and listed in accordance with UL 30 or other approved metal containers each not to exceed 5 gallons (19 L) in capacity.

The mobile fueling vehicle shall comply with the requirements of all local, state and federal requirements.

Mobile fueling vehicles with a chassis-mounted tank in excess of 110 gallons (415 L) shall comply with the requirements of Section 5706.6, Section 5707, and NFPA 385.

The mobile fueling vehicle and its equipment shall be maintained in good repair.

Safety cans and approved metal containers shall be secured to the mobile fueling vehicle except when in use.

5703.3 Required documents. Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the owner of the mobile fueling operations and shall be maintained in compliance with Section 107.3

5707.3.1 Safety and emergency response plan. Mobile fueling operators shall have an approved written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code.

5707.3.2 Training records. Training records of operators shall be maintained. Mobile fueling vehicle operators shall possess evidence of training on proper fueling procedures and the safety and emergency response plan.

5707.3.3 Site plan. A site plan shall be developed for each location at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate: all buildings, structures, lot lines, property lines, and appurtenances on site and their use or function; all uses adjacent to the lot lines of the site; fueling locations, the locations of all storm drain openings and adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and the scale of the site plan.

5707.4 Mobile fueling areas. Mobile fueling shall not occur on public streets, public ways, or inside buildings. Fueling on the roof level of parking structures or other buildings is prohibited.

5704.1 Separation. Mobile fueling shall not take place within 25 feet (7620 mm) of buildings, property lines, or combustible storage.

Exception: The fire code official shall be authorized to decrease the separation distance for dispensing from metal safety cans or other approved metal containers in accordance with Section 5707.2.

When dispensing operations occur within 15 feet (4572 mm) of a storm drain, an approved storm drain cover or an approved equivalent method that will prevent any fuel from reaching the drain shall be used.

5707.4.2 Sources of ignition. Smoking, open flames, and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames with 25 feet (7620 mm) of the vehicle and the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.

5707.5 Equipment. Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.5.

5707.5.1 Dispensing hoses and nozzles. Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles, hoses, and appurtenances shall be of an approved and listed type.

5707.5.2 Break-away device. A listed break-away device shall be provided at the nozzle.

Exception: Mobile fueling vehicles equipped with an approved brake interlock tied to the nozzle holder that prohibits movement of the mobile fueling vehicle when the nozzle is removed from its holder.

5707.5.3 Shut off valve and fuel limit. Mobile fueling vehicles shall be equipped with a listed shutoff valve assembly and a fuel limit switch set to a maximum of 30 gallons (116 L).

5707.5.4 Fire extinguisher. An approved portable fire extinguisher complying with Section 906 with a minimum rating of 4-A:80-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.

5707.5.5 Spill kit. Mobile fueling vehicles shall contain a minimum 5 gallon (19 L) spill kit of an approved type.

5707.6 Operations. Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads.

5707.6.1 Dispensing hose. Where equipped, mobile fueling vehicles shall be positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall be placed on an approved reel or in an approved compartment prior to moving the mobile fueling vehicle.

5707.6.2 Drip control. Operators shall place a drip pan or an absorbent pillow under the nozzle to catch drips and under each fuel fill opening prior to and during dispensing operations.

5707.6.3 Nighttime deliveries. Nighttime deliveries shall only be made in areas deemed adequately lighted by the fire code official.

5707.6.4 Vehicle lights. The mobile fueling vehicle flasher lights shall be in operation while dispensing operations are in progress.

5707.6.5 Safety cones. Safety cones or barriers shall be employed as warning devices to highlight the vehicle fueling area.

5707.6.6 Bonding. A means for bonding the mobile fueling vehicle to the motor vehicle shall be provided. Such bonding means shall be employed during fueling operations.

5707.6.7 Spill reporting. Spills shall be reported in accordance with Section 5003.3.1.

5707.7 Training. Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures, and the safety and emergency response plan. The vehicle operator training shall be approved by the fire code official.

Chapter 58 FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS

Chapter 58 of the 2015 International Fire Code is adopted with the following amendment:

Add Section 5803.3 to read:

5803.3 Mobile fueling of hydrogen vehicles. Mobile fueling of hydrogen vehicles is prohibited unless approved by the fire code official.

Chapter 60 HIGHLY TOXIC, TOXIC AND MODERATELY TOXIC MATERIALS

Chapter 60 of the 2015 International Fire Code is adopted with the following amendments:

SECTION 6002 DEFINITIONS

6002.1 Definitions. The following terms are defined in Chapter 2:

CONTAINMENT SYSTEM.

CONTAINMENT VESSEL.

EXCESS FLOW VALVE.

HIGHLY TOXIC.

MAXIMUM THRESHOLD QUANTITY.

MINIMUM THRESHOLD QUANTITY.

MODERATELY TOXIC GAS.

OZONE-GAS GENERATOR.
PHYSIOLOGICAL WARNING THRESHOLD.
REDUCED FLOW VALVE.
TOXIC.
Amend Sec. 6004 to read:

**SECTION 6004 HIGHLY TOXIC, TOXIC AND MODERATELY TOXIC
COMPRESSED GASES INCLUDING THOSE USED AS
REFRIGERANTS**

Amend Section 6004.1 to read:

6004.1 General. Materials stored and used as a gas whether or not the material meets the definition of a compressed gas, and meets the definition of a highly toxic, toxic and moderately toxic gas shall comply with Section 6004.

The minimum threshold quantity for highly toxic, toxic and moderately toxic gases, vapors and mists for indoor and exterior storage and use are set forth in Table 6004.1.

Add Table 6004.1 to read:

Table 6004.1 Minimum Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases	
Highly Toxic	0
Toxic	10 cubic feet
Moderately Toxic	20 cubic feet

Amend Section 6004.1.1 to read:

6004.1.1 Special limitations for indoor storage and use by occupancy. The indoor storage and use of highly toxic, toxic and moderately toxic gases in certain occupancies shall be subject to the limitations contained in Sections 6004.1.1.1 through 6004.1.1.3.

Amend Section 6004.1.1.1 to read:

6004.1.1.1 Group A, E, I or U occupancies. Toxic, highly toxic and moderately toxic gases shall not be stored or used within Group A, E, I or U occupancies.

Exception: Cylinders not exceeding 20 cubic feet (0.556m³) at normal temperature and pressure (NTP) are allowed within gas cabinets or fume hoods.

Amend Section 6004.1.1.2 to read:

6004.1.1.2 Group R occupancies. Toxic, highly toxic and moderately toxic gases shall not be stored or used in Group R occupancies.

Amend Section 6004.1.1.3 to read:

6004.1.1.3 Offices, retail sales and classrooms. Toxic, highly toxic and moderately toxic gases shall not be stored or used in offices, retail sales or classroom portions of Group B, F, M or S occupancies.

Exception: In classrooms of Group B occupancies, cylinders with a capacity not exceeding 20 cubic feet (0.566 m³) at NTP are allowed in gas cabinets or fume hoods.

Amend Section 6004.1.2 to read:

6004.1.2 Gas cabinets. Gas cabinets containing highly toxic, toxic and moderately toxic gases shall comply with Section 5003.8.6 and the following requirements:

1. The average ventilation velocity at the face of gas cabinet access ports or windows shall not be less than 200 cubic feet per minute (1.02 m/s) with a minimum of 150 feet per minute (0.76 m/s) at any point of the access port or window.
2. Gas cabinets shall be connected to an exhaust system.
3. Gas cabinets shall not be used as the sole means of exhaust for any room or area.
4. The maximum number of cylinders located in a single gas cabinet shall not exceed three, except that cabinets containing cylinders not exceeding 1 pound (0.454 kg) net contents are allowed to contain up to 100 cylinders.

Gas cabinets required by Section 6004.2 or 6004.3 shall be equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1. Alternative fire-extinguishing systems shall not be used.

Amend Sec. 6004.1.3 to read:

6004.1.3 Exhausted enclosures. Exhausted enclosures containing highly toxic, toxic or moderately toxic gases shall comply with Section 5003.8.5 and the following requirements:

1. The average ventilation velocity at the face of the enclosure shall not be less than 200 feet per minute (1.02 m/s) with a minimum of 150 feet per minute (0.76 m/s).
2. Exhausted enclosures shall be connected to an exhaust system.
3. Exhausted enclosures shall not be used as the sole means of exhaust for any room or area.

Exhausted enclosures required by Section 6004.2 or 6004.3 shall be equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1. Alternative fire-extinguishing system shall not be used.

Add Sec. 6004.1.4 to read:

6004.1.4 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.

Add Sec. 6004.1.5 to read:

6004.1.5 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.

Add Sec. 6004.1.6 to read:

6004.1.6 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 6004 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 6004 of this code.

The following formula shall be used to calculate the maximum threshold quantity:

Max TQ (pounds) = LC₅₀ (ppm) x 2 lb.

For gas mixtures containing one or more toxic, highly toxic or moderately toxic components, the LC₅₀ shall be calculated using CGA Standards P-20 and P-23.

Add Section 6004.1.7 to read:

6004.1.7 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.

Add Section 6004.1.8 to read:

6004.1.8 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 5004.5.

Add Section 6004.1.9 to read:

6004.1.9 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.

Add Section 6004.1.10 to read:

6004.1.10 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.

Add Section 6004.1.11 to read:

6004.1.11 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 code official.

Add section 6004.1.12 to read:

6004.1.12 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.

Add Sec. 6004.1.13 to read:

6004.1.13 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.

Add Sec. 6004.1.14 to read:

6004.1.14 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.

Amend Section 6004.2 to read:

6004.2 Indoor storage and use. The indoor storage or use of highly toxic, toxic or moderately toxic compressed gases shall be in accordance with Sections 6004.2.1 through 6004.2.2.10.4.

Amend Section 6004.2.1 to read:

6004.2.1 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 6004.2.1.1 through 6004.2.1.5.

Amend Sec. 6004.2.1.1 to read:

6004.2.1.1 Quantities not exceeding the maximum allowable quantity per control area. The indoor storage or use of highly toxic, toxic and moderately toxic gases in amounts not exceeding the maximum allowable quantity per control area set forth in Table 5003.1.1(2) shall be in accordance with Sections 5001, 5003, 6001, ~~and~~ 6004.1, 6004.2.1.4 and 6004.2.1.5.

Add Sec. 6004.2.1.4 to read:

6004.2.1.4 Quantities not exceeding minimum threshold quantity per control area. The indoor storage or use of highly toxic, toxic and moderately toxic gases in amounts not exceeding the minimum threshold quantity per control area set forth in Table 6004.1 shall be in accordance with Sections 6001, and 6004.1 and Chapter 50.

Add Section 6004.2.1.5 to read:

6004.2.1.5 Quantities exceeding the minimum threshold quantity per control area. The indoor storage or use of highly toxic, toxic and moderately toxic gases in amounts exceeding the minimum threshold quantity per control area set forth in Table 6004.1 shall be in accordance with Sections 6001, 6004.1, 6004.2 and Chapter 50.

Amend Sec. 6004.2.2 to read:

6004.2.2 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 6004.2.2.1 through 6004.2.2.10.4.

Moderately toxic gases with an LC₅₀ equal to or less than 3000 parts per million shall comply with the requirements for toxic gases in Sections 6004.2.2.1 through 6004.2.2.10.4.

Moderately toxic gases with an LC₅₀ more than 3000 parts per million but not greater than 5000 parts per million and exceeding the maximum threshold quantity, as determined by 6004.1.6, shall comply with the requirements for toxic gases in Sections 6004.2.2.1 through 6004.2.2.7.

Moderately toxic gases shall not be considered as toxic gases for maximum allowable quantities determinations under Table 5003.1.1(2).

Amend Sec. 6004.2.2.7 to read:

6004.2.2.7 Treatment systems. The exhaust ventilation from gas cabinets, exhausted enclosures and gas rooms and local exhaust systems required in Section 6004.2.2.4 and 6004.2.2.5 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 6004.2.2.7.1 through 6004.2.2.7.5 and Chapter 5 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 6004.2.2.3.

Amend 6004.2.2.10.2 to read:

6004.2.2.10.2. 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.

Amend Section 6004.3 to read:

6004.3 Outdoor storage and use. The outdoor storage or use of highly toxic, toxic and moderately toxic compressed gases shall be in accordance with Sections 6004.3.1 through 6004.3.4. The minimum threshold quantity for highly toxic, toxic and moderately toxic gases for outdoor storage and use are set forth in Table 6004.1.

Amend Section 6004.3.1 to read:

6004.3.1 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 6004.3.1.1 through 6004.3.1.5.

Amend Section 6004.3.1.1 to read:

6004.3.1.1 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 maximum allowable quantity per control area set forth in Table 5004.3.1.1(4) shall be in accordance with Sections 5001, 5003, 6001, 6004.1, 6004.3.1.4 and 6004.3.1.5.

Add Section 6004.3.1.4 to read:

6004.3.1.4 Quantities not exceeding the minimum threshold quantity per control area. The outdoor storage or use of highly toxic, toxic and moderately toxic gases in amounts not exceeding the minimum threshold quantity per control area set forth in Table 6004.1 shall be in accordance with Sections 6001, 6004.1 and Chapter 50.

Add Section 6004.3.1.5 to read:

6004.3.1.5 Quantities exceeding the minimum threshold quantity per control area. The outdoor storage or use of highly toxic, toxic and moderately toxic gases in amounts exceeding the minimum threshold quantity per control area set forth in Table 6004.1 shall be in accordance with Sections 6001, 6004.3 and Chapter 50.

Amend Section 6004.3.2 to read:

6004.3.2 General outdoor requirements. The general requirements applicable to the outdoor storage and use of highly toxic, toxic and moderately toxic gases shall be in accordance with Sections 6004.3.2.1 through 6004.3.2.4.

Moderately toxic gases with an LC₅₀ equal to or less than 3000 parts per million shall comply with the requirements for toxic gases in Sections 5001, 5003, 6001, 6004.1 and 6004.3.

Moderately toxic gases with an LC₅₀ more than 3000 parts per million but not greater than 5000 parts per million and exceeding the maximum threshold quantity, as determined by 6004.1.6, shall comply with the requirements for toxic gases in Sections 5001, 5003, 6001, 6004.1 and 6004.3.2.1 through 6004.3.2.4.

Moderately toxic gases shall not be considered as toxic gases for maximum allowable quantities determinations under Table 5003.1.1(4).

Amend Section 6004.3.3 to read:

6004.3.3 Outdoor storage weather protection for portable tanks and cylinders. Weather protection in accordance with Section 5004.13 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 5004.5.

Chapter 64 PYROPHORIC MATERIALS

Chapter 64 of the 2015 International Fire Code is adopted with the following amendments:

Add Section 6405.3.1 to read:

6405.3.1 Silane distribution systems automatic shutdown. Silane distribution systems shall automatically shut down at the source upon activation of the gas detection system at levels above the alarm level and/or failure of the ventilation system for the silane distribution system.

Chapter 80 REFERENCE STANDARDS

Chapter 80 of the 2015 International Fire Code is adopted with the following amendments:

CGA

C-7 (2014)	Guide to Classification and Labeling of Compressed Gases. 5303.4.2, 5503.4.2
G-13 (2015)	Storage and Handling of Silane and Silane Mixtures (an American National Standard) 6404.1, 6404.2, 6405.3
P-1 (2000)	Safe Handling of Compressed Gases in Containers 5305.7
ANSI/P-18 (2013)	Standard for Bulk Inert Gas Systems 5501.1
S-1.1 (2011)	Relief Device Standards – Part 1 – Cylinders for Compressed Gases 5003.3.2, 5503.2
S-1.2 (2009)	Pressure Relief Device Standards – Part 2 Portable Containers for Compressed Gases 5003.3.2, 5503.2
S-1.3 (2008)	Pressure Relief Device Standards – Part 3 – Stationary Storage Containers for Compressed Gases 5003.3.2, 5503.2
V-1 (2013)	Standard for Compressed Gas Cylinder Valve Outlet and Inlet Connections. 3505.2.1

SECTION III

The Council finds and determines that enactment of this Ordinance is not a project subject to environmental review pursuant to the State CEQA Guidelines.

SECTION IV

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 V

This ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos held on the 1st day of November, 2016, 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 held on the 15th day of November, 2016. This ordinance takes effect 30 days after it is adopted.

COUNCIL MEMBERS:

AYES: Marcia Jensen, Steve Leonardis, Rob Rennie, Marico Sayoc, Mayor Barbara Spector

NAYS: None.

ABSENT: None.

ABSTAIN: None

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

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

DATE: _____