

ORDINANCE NO. NS-1100.122

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
SANTA CLARA AMENDING DIVISIONS C9 AND C11 OF THE COUNTY OF
SANTA CLARA ORDINANCE CODE**

Summary

This Ordinance reflects amendments to the 2013 California Building Standards Code to address certain local conditions.

WHEREAS, Health and Safety Code section 18938 provides that the California Building Standards Commission (“Commission”) shall adopt building standards applicable to all occupancies in the State of California. The building standards consist of certain model building codes published by specified code-writing bodies, as amended to address California-specific issues. When adopted, these building standards constitute the California Building Standards Code;

WHEREAS, the California Building Standards Code is typically revised on a triennial basis. The Commission adopted the 2013 triennial edition of the California Building Standards Code, Title 24, California Code of Regulations. The new building standards became effective in all cities and counties throughout the state on January 1, 2014 unless the standards are modified by local jurisdictions; and

WHEREAS, pursuant to Health and Safety Code sections 17958.7 and 18941.5, counties and cities may modify the State building standards where reasonably necessary because of local climatic, geological or topographical conditions. The Board of Supervisors adopted the 2013 California building codes on December 10, 2013 (Agenda Item #83) with certain amendments to address local conditions. However, since the Board adopted the 2013 California building codes and amendments in 2013, the area encompassing the County has experienced a severe drought necessitating further amendments to the adopted building codes to preserve and to reduce waste of water resources.

THE BOARD OF SUPERVISORS HEREBY FINDS that each of the amendments to the California Building Standards Codes adopted below are reasonably necessary to address local climatic, geological, and topographical conditions. The basis for each of these findings is set forth in Exhibit A, attached hereto.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA
ORDAINS AS FOLLOWS:**

SECTION 1. Division C9 of Title C of the County of Santa Clara Ordinance Code is amended to add section C9-4 as follows:

Sec C9-4. - Chapter 9 Amendments.

Chapter 9 of 2013 California Mechanical Code is amended as follows

(a) Section 936.0 is added to read as follows:

936.0 Single Pass Cooling Systems. The installation or use of any new single pass cooling system that circulates water only once to cool equipment before disposing the water is prohibited.

SECTION 2. Section C11-4 of Division C11 of Title C of the County of Santa Clara Ordinance Code is amended to read as follows:

Sec. C11-4. - Chapter 4 Amendments.

Chapter 4 of 2013 California Plumbing Code is amended as follows:

(a) Section 403.9 is added to read as follows:

403.9 Commercial Laundry Systems The installation or use of any new commercial laundry system that does not incorporate a recirculating water system is prohibited.

(b) Section 403.10 is added to read as follows:

403.10 Commercial Conveyor Car Wash Systems. The installation or use of any new non-recirculating water systems in commercial conveyor car wash systems is prohibited.

(c) Section 415.0 (Drinking Fountains) is amended to read as follows:

415.0 Drinking Fountains and Water Bottle Filling Stations.

(d) Section 415.0.1 is added to read as follows:

415.0.1 Water Bottle Filling Station Definition. A water bottle filling station means a unit that (1) supplies potable water to a water bottle from a downward facing water orifice; (2) delivers a minimum of 8.0 gallons per hour (gph) of 50° F water; (3) is wall- or floor-mounted and is a separate unit or a combination unit including a drinking fountain, and (4) complies with the California Title 24 accessibility standards, and is listed by an approved listing agency, and is certified to be lead-free compliant, including NSF/ANSI.61-Annex G, AB 1953.

(e) Section 415.1 (Application) is amended to read as follows:

415.1 Application. Drinking fountains and water bottle filling stations shall be self-closing and comply with NSF 61 and to the applicable standards referenced in Table 14.01.1 [HCD 1] Drinking fountains shall be installed and so regulated that a jet of water extending at least 2 inches (51 mm) in height from the water orifice shall be constantly available. The orifice shall not be accessible to the mouth of the drinker not subject to immersion.

(f) Section 415.2 (Where Required) is amended to read as follows:

415.2 Where Required.

415.2.1. Where food is consumed indoors, water stations shall be permitted to be substituted for drinking fountains and water bottle filling stations. Drinking fountains and water bottle filling stations shall be required for an occupant load of 30 or less.

415.2.2. Water bottle filling stations shall be installed where drinking fountains are required per Table 422.1 at a ratio of one unit per each floor of the building but shall not be required on floors which have an occupant load of 30 or less. If floors have multiple wings that are not integrated and accessible to all occupants, one additional water bottle filling station shall be required in each separate wing not providing access to all occupants.

//

//

(g) Section 415.3 (Drainage Connection) is amended to read as follows:

415.3 Drainage Connection. Drinking fountains and water bottle filling stations shall be permitted to discharge directly into the drainage system or indirectly through an air break in accordance with Section 809.1.

(h) Section 415.4 (Location) is amended to read as follows:

415.4 Location. Drinking fountains and water bottle filling stations shall not be installed in toilet rooms.

//

//

//

//

//

//

//

//

SECTION 3. Severability. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof, other than the section so declared to be unconstitutional or invalid.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California on JUN 09 2015 by the following vote:

AYES: CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGER
NOES NONE
ABSENT: NONE
ABSTAIN: NONE



DAVE CORTESE, President
Board of Supervisors

ATTEST:


MEGAN DOYLE
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:


ELIZABETH G. PIANCA
Deputy County Counsel

Attachments:

Exhibit A – Bases of Local Changes to California Mechanical and Plumbing Codes

Ordinance No. NS-1100.122
Amending Mechanical
and Plumbing Codes

Exhibit A to Ordinance No. NS-1100.122—Bases of Local Changes to California Mechanical and Plumbing Codes (Local Amendments to 2013 California Building Standards Code)

The proposed modifications to the 2013 California Building Standards Code are reasonably necessary because of local climatic, geological, or topographical conditions for at least the following reasons:

- 1. Amendment to Section C9-4 of the County of Santa Clara County Ordinance Code to add Section 9.360 of the 2013 California Mechanical Code to read as follows:**

936.0 Single Pass Cooling Systems. The installation or use of any new single pass cooling system that circulates water only once to cool equipment before disposing the water is prohibited.

Finding: This amendment is necessitated by local climatic conditions rendering water as a scarce and valuable resource, and ensures that water is conserved by reclaiming water used in new systems that remove heat from products, processes, or equipment. A reliable supply of water is essential to the public health, safety and welfare of the people and economy of Santa Clara County, and careful water management that includes active water conservation measures not only in times of drought, but at all times, is essential to ensure a reliable supply of water to meet current and future needs.

- 2. Amendment to Section C11-4 of the County of Santa Clara Ordinance Code Adding Section 403.9 and 403.10 to the 2013 California Plumbing Code to read as follows:**

Section 403.9 is added to read as follows:

403.9 Commercial Laundry Systems The installation or use of any new commercial laundry system that does not incorporate a recirculating water system is prohibited.

Section 403.10 is added to read as follows:

403.10 Commercial Conveyor Car Wash Systems. The installation or use of any new non-recirculating water systems in commercial conveyor car wash systems is prohibited.

Finding: The amendments are necessitated by local climatic conditions rendering water as a scarce and valuable resource, and ensures that water is conserved by reclaiming water used in all new commercial laundry systems and conveyor car wash systems. A reliable supply of water is essential to the public health, safety and welfare of the people and economy of Santa Clara County, and careful water management that includes active water conservation measures not only in times of drought, but at all times, is essential to ensure a reliable supply of water to meet current and future needs.