

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



February 1, 2012

Ali Fatapour, Chief Building Official
City of Sunnyvale
P.O. Box 3707
Sunnyvale, CA 94088-3707

Dear Ali Fatapour:

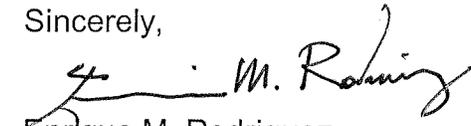
This letter is to acknowledge receipt on January 5, 2012 of the City of Sunnyvale submittal pertaining to Ordinance Nos. 2961-11 and 2964-11 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the findings and the modifications or changes have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



December 27, 2011

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833-2936

Dear Commissioners:

Pursuant to the requirements of 2010 California Building Code Section 101.8.1, we are hereby transmitting to you a copy of the City of Sunnyvale's adopted ordinances and resolutions which contains local amendments to the 2010 California Building Codes together with a recitation of the findings upon which the amendments were based.

Sincerely,

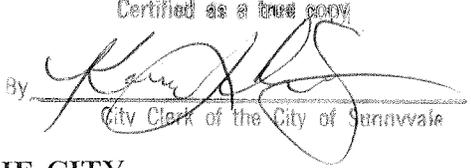
Ali Fatapour,
Chief Building Official

12/27/2011 4:03:17 PM
CITY OF SUNNYVALE

ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707
TDD (408) 730-7501

Printed on Recycled Paper

RESOLUTION NO. 511-11

By  City Clerk of the City of Sunnyvale

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FINDING AND DETERMINING THE NEED FOR MODIFICATIONS TO THE 2010 CALIFORNIA BUILDING CODE

WHEREAS, the City of Sunnyvale is adopting the 2010 California Building Codes with numerous changes and modifications;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE that it finds and determines there is a need to adopt the changes or modifications because of local climatic, topographic, geological and related geographic conditions.

General Findings

1. Climatic

a. Precipitation. Precipitation ranges from 4.83 to 30.30 inches per year with an average of approximately 13.86 inches per year. Approximately 90% falls during the months of November through April and 10% from May through October. This area experienced a major drought in 1977-78 and a moderate drought the next five years; it is possible that more droughts will occur in the future. The local climate is characterized by markedly delineated rainy and dry seasons, which tend to maximize the expansive characteristics of soil.

b. Relative Humidity. Humidity generally ranges from 60% during daytime to 80% at night. It drops to 20% during the summer months and occasionally drops lower.

c. Temperatures. Temperatures have been recorded as high as 108° F. Average summer highs are in the 78°-82° F. range.

d. Winds. Prevailing winds are from the Northwest or Southeast. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5-mph to 15-mph range, gusting to 7.4 mph to 30 mph, particularly during the summer months. Extreme winds, up to 60 mph, have been known to occur.

e. Summary. These local climatic conditions affect the acceleration, intensity and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another commonly found in Sunnyvale. During wood shake and shingle roof fires, or exposure fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fires back into the building and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts. To reduce the effects of greenhouse gas, building methodologies and techniques should be encouraged.

2. Geological, Geographic and Topographic

a. **Geographic Location.** Sunnyvale is located in the Santa Clara Valley. It has taken its place as the second largest city in the heart of the "Silicon Valley," the center for an expanding and changing technology industry.

b. **Seismic Location.** Sunnyvale is situated on alluvial soils between San Francisco Bay and the San Andreas Fault zone. The City's location makes it particularly vulnerable to damage to taller and older structures caused by seismic events. The relatively young geological processes that have created the San Francisco Bay Area are still active today. Seismically, the City sits between two active earthquake faults (San Andreas and the Hayward/Calaveras) and numerous potentially active faults.

c. **Seismic and Fire Hazards.** Gypsum wallboard and exterior portland cement plaster have performed poorly during recent California seismic events. The shear values for gypsum wallboard and portland cement stucco contained in the code are based on mono-directional testing. It is appropriate to limit the use of these products until cyclic loading testing are performed and evaluated. Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number, should a significant seismic event occur. Public safety resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single dwelling or structure fires.

Other variables may tend to intensify the situation:

1. The extent of damage to the water system;
2. The extent of isolation due to bridge and/or freeway overpass collapse;
3. The extent of roadway damage and/or amount of debris blocking the roadways;
4. Climatic conditions (hot, dry weather with high winds);
5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
6. The availability of timely mutual aid or military assistance;
7. The large portion of dwellings with wood shingle roof coverings could result in conflagrations.

d. **Size and Population.** The City has an area over 24 square miles in size and a population estimated to be 140,450.

e. **Development.** Sunnyvale is a community, which is projected to add 7,200 new residential units within the next twenty-five years, primarily in multi-family configurations, for which building security is a matter of acute importance.

f. **Public Safety Department.** Sunnyvale utilizes a public safety (joint police/fire) department with personnel who function as both fire suppression and police officers, resulting in fewer personnel than otherwise would be required for a city of its size. A premium is therefore placed on built-in physical techniques and devices as crime preventative measures. It is therefore also imperative that fire detection and suppression occur as quickly as possible to minimize loss of property and life. For these reasons the most stringent provisions are required concerning fire detection, alarm and suppression systems.

g. Roads and Streets. The number of vehicle miles driven in the City is steadily increasing and considerable efforts in traffic and roadway improvements are being made to ease the crush of commuters to and through the City to their homes and places of work. Because of the City's high concentration of jobs, much of the peak traffic is made by nonresidents traveling to or from Sunnyvale. The impact of planned developments and traffic flow will continue to have an effect on the Department of Public Safety and delivery of fire services.

h. Industry. Sunnyvale is the site of many manufacturing and research industries which use toxic, flammable and explosive chemicals and materials in potentially hazardous combinations. Special precautions thus are required to minimize the risk of damage to adjoining persons and properties.

i. Mixed Industrial/Residential Uses. High-density residential uses are located near high-risk industries, necessitating special precautions.

j. Transportation. Sunnyvale is divided by an interstate highway, which potentially could affect response times of fire suppression equipment.

k. Soil Conditions and Topography. Sunnyvale lies at the southern end of San Francisco Bay and is built atop the alluvial deposits that surround the margins of the Bay. The alluvium was created by the flooding of the many streams emptying into the San Francisco Bay depression, and from intermittent seawater inundation that has occurred over the last 2 or 3 million years. The areas closest to the Bay are overlain by unconsolidated fine silty clay, known as "Bay Mud" which varies in thickness from a few feet to as much as 30 feet. Generally, the older, more stable alluvium is to the south and the younger, less stable material is to the north. Bedrock lies beneath the area at depths generally 300' or more. The topography is essentially flat, dropping from an elevation of 300 feet to sea level. The slope across the City is in a northeasterly direction from the high point in the southwest corner to the Bay. The average slope is approximately 0.9%.

The Silicon Valley is within a very active seismic area and local soil conditions can be highly expansive (clay soils). The Northridge earthquake provided hundreds of examples of damage to plain concrete footings. This type of damage is extremely expensive to repair, in contrast to the small expense of providing nominal footing reinforcement. Footing reinforcement is also necessary to prevent damage due to pumping action caused by local expansive soils, which shrink and swell during seasonal drying and wetting conditions.

Most of the surface soils in the Silicon Valley are relatively young and unconsolidated sedimentary materials formed from a wide variety of parent materials. The varying chemical composition, degree of weathering, and the relatively acid environment have created soils of varying types, which are particularly corrosive in nature. Much of the surface soil in the Silicon Valley is highly expansive (i.e., shrink-swell behavior) and has low bearing strength.

l. Water/Sewer. Some parts of the Silicon Valley have hard water, which is corrosive to ferrous pipe. The groundwater table is unusually high in many places. Expansive soils create unstable conditions, which increase the potential of breaks in sewer laterals. To maintain health and sanitary services, it is necessary to gain access, to periodically maintain public sanitary laterals.

m. Buildings, Landscaping and Clearances. Many of the newer large buildings and building complexes are of designs, which greatly limit visibility and approach to and

accessibility by Public Safety resources. Many houses and other buildings with wood roofs and/or sidings are so close together that fire will readily spread from one to another by both radiation and convection.

n. Summary. The stated local geological, geographic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Department of Public Safety. Lying beneath Sunnyvale are thick layers of sand, gravel and clay, known as alluvium, which amplify the effects of earthquakes. Based on the damage caused in Santa Clara Valley by the 1906 earthquake and the poor performance of alluvial deposits during earthquakes, this area could be subject to severe damage.

Findings.

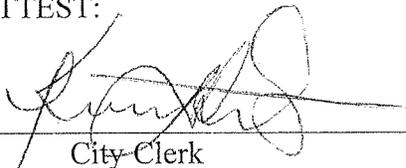
With the exception of changes justified on administrative grounds, the local amendments of the 2010 California Building Codes are justified by all of the aforementioned general findings.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the ordinances making the changes and modifications to the enumerated uniform codes, to be filed with the State Department of Housing and Community Development.

Adopted by the City Council at a regular meeting held on November 29, 2011 by the following vote:

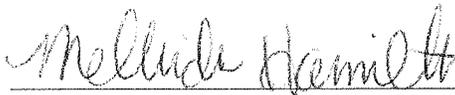
AYES: LEE, SPITALERI, GRIFFITH, HAMILTON, MOYLAN, WHITTUM
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:



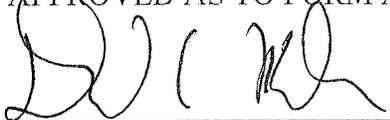
City Clerk
(SEAL)

APPROVED:

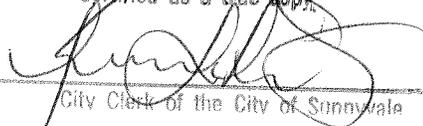


Mayor

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

By 
City Clerk of the City of Sunnyvale

ORDINANCE NO. 2964-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING CHAPTER 16.43 (GREEN BUILDING CODE) OF TITLE 16 (BUILDING AND CONSTRUCTION) OF THE SUNNYVALE MUNICIPAL CODE, WITH CERTAIN AMENDMENT THERETO

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER 16.43 AMENDED. SECTION 16.43.040 (Pre-Wiring for Electric Car Chargers) is hereby added to read as set forth in Exhibit "A" attached and incorporated by reference.

SECTION 2. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 3. CEQA EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The Council therefore directs that the Planning Division may file a Notice of Exemption with the Santa Clara County Clerk in accordance with the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 118-04.

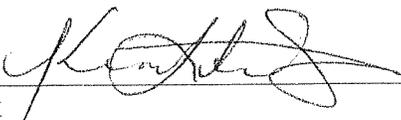
SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in *The Sun*, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on November 29, 2011, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on December 6, 2011, by the following vote:

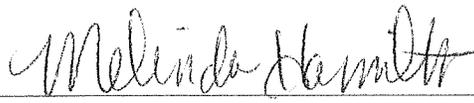
- AYES: LEE, SPITALERI, GRIFFITH, HAMILTON, MOYLAN, WHITTUM
- NOES: NONE
- ABSTAIN: NONE
- ABSENT: NONE

ATTEST:



City Clerk
Date of Attestation: 12/12/2011

APPROVED:



Mayor

(SEAL)

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.43.

GREEN BUILDING CODE

- 16.43.010. Title.**
- 16.43.020. Adoption by reference.**
- 16.43.030. Fireplaces and wood-burning appliances.**
- 16.43.040 Pre-Wiring for Electric Car Chargers**

16.43.010. Title.

This chapter shall be known and may be cited and referred to as the “Green Building Code for the City of Sunnyvale.”

16.43.020. Adoption by reference.

The “2010 California Green Building Standards Code” is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the green building code of the city of Sunnyvale.

16.43.030. Fireplaces and wood-burning appliances.

California Green Building Code Section 4.503 is amended to read:

(a) **Section 4.503 Fireplaces and Wood-Burning Appliances.** Any installed gas fireplace shall be a direct-vent sealed-combustion type. Any installed wood-burning fireplace, stove, or pellet stove shall comply with U.S. EPA Phase II emission limits where applicable.

(b) This section shall not apply to the repair, reconstruction or replacement of any lawful, existing wood-burning appliance.

(c) This section shall not apply to a gas fireplace. However, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood-burning appliance and shall be subject to the requirements of this chapter.

(d) It is unlawful to burn the following in any fireplace or wood-burning appliance:

- (1) Coal;
- (2) Garbage;
- (3) Glossy or colored paper;
- (4) Paint;
- (5) Paint solvent;
- (6) Particle board;
- (7) Plastic or items made from plastic;
- (8) Rubber or items made from rubber;
- (9) Salt water driftwood;
- (10) Treated wood; and
- (11) Waste petroleum products.

California Green Building Code Section 5.503 is amended to read:

(a) **Section 5.503 Fireplaces and Wood-Burning Appliances.** Any installed gas fireplace shall be a direct-vent sealed-combustion type. Any installed wood-burning fireplace, stove, or pellet stove shall comply with U.S. EPA Phase II emission limits where applicable.

(b) This section shall not apply to the repair, reconstruction or replacement of any lawful, existing wood-burning appliance.

(c) This section shall not apply to a gas fireplace. However, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood-burning appliance and shall be subject to the requirements of this chapter.

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- (2) Garbage;
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- (4) Paint;
- (5) Paint solvent;
- (6) Particle board;
- (7) Plastic or items made from plastic;
- (8) Rubber or items made from rubber;
- (9) Salt water driftwood;
- (10) Treated wood; and
- (11) Waste petroleum products.

16.43.040. Pre-Wiring for Electric Car Chargers.

California Green Building Code Section 4.106.4 is hereby added:

(a) **Section 4.106.4 Pre-Wiring for Electric Car Chargers. Effective July 1, 2012,** parking spaces shall be pre-wired to accommodate Level 2 electric car chargers in accordance with section 16.32, as follows:

- (1) all garages or carports accessory to single family dwelling
- (2) all garages or carports in residential developments with attached individual garages or carports
- (3) 12.5% of the total required parking spaces in residential developments that provide common shared parking

NOTICE OF ADOPTION OF ORDINANCE NO. 2964-11

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on December 6, 2011, adopted Ordinance No. 2964-11, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING CHAPTER 16.43 (GREEN BUILDING CODE) OF TITLE 16 (BUILDING AND CONSTRUCTION) OF THE SUNNYVALE MUNICIPAL CODE, WITH CERTAIN AMENDMENT THERETO

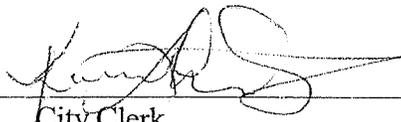
NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2964-11 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

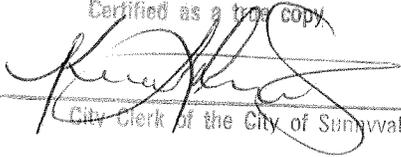
One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 12/7/2012

By 
City Clerk

PUBLISH: 12/16/2012

Certified as a true copy
By 
City Clerk of the City of Sunnyvale

RESOLUTION NO. 507-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE FINDING AND DETERMINING THE
NEED FOR MODIFICATIONS TO THE 2010 CALIFORNIA
PLUMBING CODE**

WHEREAS, minimum requirements for the installation of graywater systems in occupancies are regulated by the City Department of Environmental Services (DES); and

WHEREAS, amendments to Title 16, Chapter 16.24 of the Sunnyvale Municipal Code is intended to provide guidance to code users while providing flexibility that will encourage the use of graywater; and

WHEREAS, chapter 16.24 contains provisions which allow the installation of limited types of graywater systems to be installed without a construction permit; and

WHEREAS, it is not intended that exemptions from a construction permits be construed by code users as an exemption from the provisions of this Chapter or other lawfully enacted requirements imposed by a city, county, or city and county, nor does it eliminate the need for persons considering the installation of a graywater system from contacting local authorities to ensure they are adequately informed about any local requirements or prohibitions; and

WHEREAS, the emergency graywater regulations, which added Chapter 16A "Nonpotable Water Reuse Systems" into the 2007 California Plumbing Code, were approved by the California Building Standards Commission (CBSC) on July 30, 2009. The emergency regulations were subsequently filed with the Secretary of State on August 4, 2009, effective immediately upon filing; and

WHEREAS, the "Certificate of Compliance", along with the Final Express Terms, was unanimously approved by the CBSC and filed with the Secretary of State on January 27, 2010, and with rulemaking action complete, Title 24, Part 5, Chapter 16A, Part I emergency regulations of the 2007 California Plumbing Code were made permanent; and

WHEREAS, this Chapter is applicable to building occupancy is intended to:

1. Conserve water by facilitating greater reuse of laundry, shower, lavatory and similar sources of discharge for irrigation and/or indoor use.
2. Reduce the number of non-compliant graywater systems by making legal compliance easily achievable.
3. Provide guidance for avoiding potentially unhealthful conditions.
4. Provide an alternative way to relieve stress on a private sewage disposal system by diverting the graywater.

WHEREAS, the City of Sunnyvale is adopting the 2010 California Plumbing Code with certain changes and modifications;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE that it finds and determines there is a need to adopt the changes or modifications to the 2010 California Plumbing Code set forth in Section 2. n. below because of local climatic, topographic, geological and related geographic conditions as discussed and set forth hereinbelow.

General Findings

1. Climatic

a. Precipitation. Precipitation ranges from 4.83 to 30.30 inches per year with an average of approximately 13.86 inches per year. Approximately 90% falls during the months of November through April and 10% from May through October. This area experienced a major drought in 1977-78 and a moderate drought the next five years; it is possible that more droughts will occur in the future. The local climate is characterized by markedly delineated rainy and dry seasons, which tend to maximize the expansive characteristics of soil.

b. Relative Humidity. Humidity generally ranges from 60% during daytime to 80% at night. It drops to 20% during the summer months and occasionally drops lower.

c. Temperatures. Temperatures have been recorded as high as 108° F. Average summer highs are in the 78°-82° F. range.

d. Winds. Prevailing winds are from the Northwest or Southeast. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5-mph to 15-mph range, gusting to 7.4 mph to 30 mph, particularly during the summer months. Extreme winds, up to 60 mph, have been known to occur.

e. Summary. These local climatic conditions affect the acceleration, intensity and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another commonly found in Sunnyvale. During wood shake and shingle roof fires, or exposure fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fires back into the building and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

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Most of the surface soils in the Silicon Valley are relatively young and unconsolidated sedimentary materials formed from a wide variety of parent materials. The varying chemical composition, degree of weathering, and the relatively acid environment have created soils of varying types, which are particularly corrosive in nature. Much of the surface soil in the Silicon Valley is highly expansive (i.e., shrink-swell behavior) and has low bearing strength.

l. Water/Sewer. Some parts of the Silicon Valley have hard water, which is corrosive to ferrous pipe. The groundwater table is unusually high in many places. Expansive soils create unstable conditions, which increase the potential of breaks in sewer laterals. To maintain health and sanitary services, it is necessary to gain access, to periodically maintain public sanitary laterals.

m. Buildings, Landscaping and Clearances. Many of the newer large buildings and building complexes are of designs, which greatly limit visibility and approach to and accessibility by Public Safety resources. Many houses and other buildings with wood roofs and/or sidings are so close together that fire will readily spread from one to another by both radiation and convection.

n. Water Conservation. Conserve water by facilitating greater reuse of laundry, shower, lavatory and similar sources of discharge for irrigation and/or indoor use. Reduce the number of non-compliant graywater systems by making legal compliance easily achievable and provide guidance for avoiding potentially unhealthful conditions. Provide an alternative way to relieve stress on a private sewage disposal system by diverting the graywater.

o. Summary. The stated local geological, geographic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Department of Public Safety. Lying beneath Sunnyvale are thick layers of sand, gravel and clay, known as alluvium, which amplify the effects of earthquakes. Based on the damage caused in

Santa Clara Valley by the 1906 earthquake and the poor performance of alluvial deposits during earthquakes, this area could be subject to severe damage.

Findings.

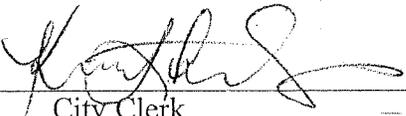
With the exception of changes justified on administrative grounds, the local amendments of the 2010 California Plumbing Code are justified by all of the aforementioned general findings.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the ordinances making the changes and modifications to the enumerated uniform codes, to be filed with the State Department of Housing and Community Development.

Adopted by the City Council at a regular meeting held on November 1, 2011, by the following vote:

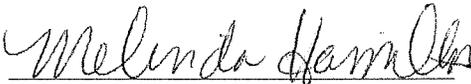
AYES: LEE, GRIFFITH, HAMILTON, MOYLAN, WHITTUM
NOES: NONE
ABSTAIN: NONE
ABSENT: SPITALERI

ATTEST:



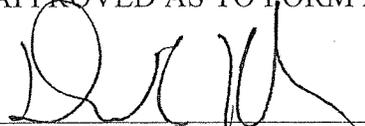
City Clerk
(SEAL)

APPROVED:



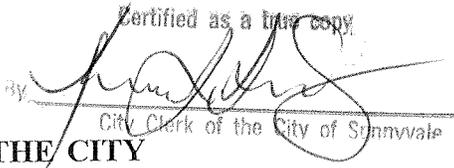
Mayor

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

ORDINANCE NO. 2961-11

Certified as a true copy
by 
City Clerk of the City of Sunnyvale

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING CHAPTER 16.24 (UNIFORM PLUMBING CODE) OF TITLE 16 (BUILDING AND CONSTRUCTION) OF THE SUNNYVALE MUNICIPAL CODE, WITH CERTAIN AMENDMENT THERETO

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER 16.24 AMENDED. Chapter 16.24, SECTION 16.24.030 (Regulations for Graywater Systems) is hereby added to read as set forth in Exhibit "A" attached and incorporated by reference.

SECTION 2. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 3. CEQA EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The Council therefore directs that the Planning Division may file a Notice of Exemption with the Santa Clara County Clerk in accordance with the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 118-04.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in *The Sun*, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on November 1, 2011, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 15, 2011, by the following vote:

AYES: SPITALERI, GRIFFITH, HAMILTON, MOYLAN, WHITTUM
NOES: NONE
ABSTAIN: NONE
ABSENT: LEE

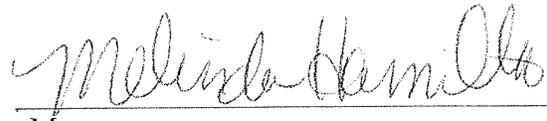
ATTEST:



City Clerk

Date of Attestation: 11-22-2011

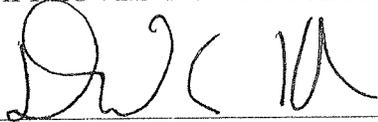
APPROVED:



Mayor

(SEAL)

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.24

PLUMBING CODE

16.24.010. Title.

16.24.020. Adoption by reference.

16.24.025. Administration.

16.24.030. Nonpotable Water Reuse Systems

16.24.010. Title.

This chapter shall be known and may be cited and referred to as the “Plumbing Code for the City of Sunnyvale.”

16.24.020. Adoption by reference.

The “2010 California Plumbing Code” is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the Plumbing Code of the City of Sunnyvale.

16.24.025. Administration.

2010 California Plumbing Code Chapter 1 Division II is hereby amended as follows:

California Plumbing Code Chapter 1 Division II is hereby replaced by the applicable provisions of Chapters 16.16 and 16.17.

16.24.030. Nonpotable Water Reuse Systems

2010 California Plumbing Code Chapter 16A is amended to read as follows:

1604A.1 Groundwater Depth. Adequate groundwater separation shall be demonstrated to the satisfaction of the Enforcing Agency per the requirements below. Adequate demonstration of the requirements can be shown through documented seasonal high groundwater levels within the area or if there is no evidence of groundwater in a test hole of the required depth.

Clothes washer system or simple system: The deepest irrigation or disposal point of the proposed graywater system shall not extend within five (5) vertical feet (1,524 mm) of groundwater.

Complex system: The deepest irrigation or disposal point of the proposed graywater system shall not extend within ten (10) vertical feet (3,048 mm) of groundwater.

1607A.0 Required Area of Irrigation or Disposal Fields. Irrigation or disposal fields may have one or more valved zones. Each zone must be of adequate size to receive the graywater anticipated in that zone. No irrigation or disposal field shall extend to a depth where graywater contaminates the groundwater, ocean water or surface water. The applicant shall supply evidence of groundwater depth to the satisfaction of the Enforcing Agency in accordance with the requirements in Section 1604A.1.

NOTICE OF ADOPTION OF ORDINANCE NO. 2961-11

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 1, 2011, adopted Ordinance No. 2961-11, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING CHAPTER 16.24 (UNIFORM PLUMBING CODE) OF TITLE 16 (BUILDING AND CONSTRUCTION) OF THE SUNNYVALE MUNICIPAL CODE, WITH CERTAIN AMENDMENT THERETO

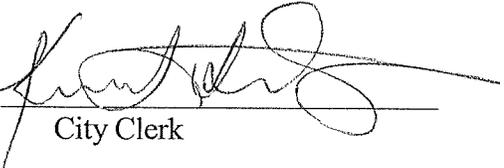
NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2961-11 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/16/2011

By 
City Clerk

PUBLISH: 11/25/2011

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



February 18, 2011

Ali Fatapour, Chief Building Official
Building and Safety Division
City of Sunnyvale
P.O. Box 3707
Sunnyvale, CA 94008-3707

Dear Ali Fatapour:

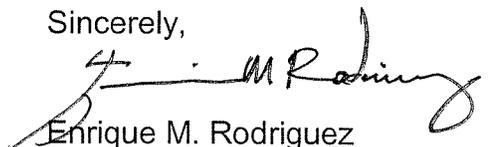
This letter is to acknowledge receipt on December 17, 2010 of the City of Sunnyvale submittal pertaining to Ordinance Nos. 2930-10 through 2940-10 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



December 15, 2010

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833-2936

Dear Commissioners:

Pursuant to the requirements of 2010 California Building Code Section 1.1.8.1, we are hereby transmitting to you a copy of the City of Sunnyvale's adopting Ordinance and Resolution which contains local amendments to the 2010 California Building Standards Code together with a recitation of the findings upon which the amendments were based.

Sincerely,

Ali Fatapour,
Chief Building Official

2010 DEC 17 PM 1:33
CITY OF SUNNYVALE
CALIFORNIA
BUILDING STANDARDS COMMISSION

ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707
TDD (408) 730-7501

Printed on Recycled Paper

By 
City Clerk of the City of Sunnyvale

ORDINANCE NO. 2930-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA ADMINISTRATIVE CODE, WITH CERTAIN DELETIONS AND AMENDMENTS THERETO, AS THE ADMINISTRATIVE CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. REPEAL. Ordinance No. 2851-07 and all prior ordinances pertaining to this subject are hereby repealed.

SECTION 2. CHAPTER 16.08 ADDED. Sunnyvale Municipal Code Chapter 16.08 is hereby added to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

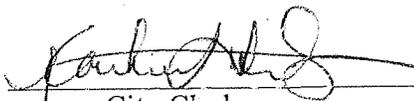
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



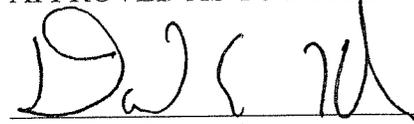
City Clerk



Mayor

Date of Attestation: 11/18/2010
(SEAL)

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.08.
ADMINISTRATIVE CODE

16.08.010. Title.

16.08.020. Adoption by reference.

16.08.030. Hours of construction—Time and noise limitations.

16.08.010. Title.

This chapter shall be known and may be cited and referred to as the “Administrative Code for California Codes Adopted by the City of Sunnyvale.”

16.08.020. Adoption by reference.

The “2010 California Administrative Code” is hereby adopted by reference as the Administrative Code for all California codes adopted by the City of Sunnyvale.

16.08.030. Hours of construction—Time and noise limitations.

Construction activity shall be permitted between the hours of seven a.m. and six p.m. daily Mondays through Fridays. Saturday hours of operation shall be between eight a.m. and five p.m. There shall be no construction activity on Sundays or national holidays when city offices are closed.

No loud environmentally disruptive noises, such as air compressors without mufflers, continuously running motors or generators, loud playing musical instruments, radios, etc., will be allowed where such noises may be a nuisance to adjacent residential neighborhoods.

Exceptions:

(a) Construction activity is permitted for detached single-family residential properties when the work is being performed by the owner of the property, provided no construction activity is conducted prior to seven a.m. or after seven p.m. Mondays through Fridays, prior to eight a.m. or after seven p.m. on Saturdays and prior to nine a.m. or after six p.m. on Sundays and national holidays when city offices are closed. It is permissible for up to two persons to assist the owner of the property so long as they are not hired by the owner to perform the work. For purposes of this section, “detached single-family residential property” refers only to housing that stands completely alone with no adjoining roof, foundation or sides.

(b) As determined by the chief building official:

(1) No loud environmentally disruptive noises, such as air compressors without mufflers, continuously running motors or generators, loud playing musical instruments, radios, etc., will be allowed where such noises may be a nuisance to adjacent properties.

(2) Where emergency conditions exist, construction activity may be permitted at any hour or day of the week. Such emergencies shall be completed as rapidly as possible to prevent any disruption to other properties.

(3) Where additional construction activity will not be a nuisance to surrounding properties, based on location and type of construction, a waiver may be granted to allow hours of construction other than as stated in this section.

NOTICE OF ADOPTION OF ORDINANCE NO. 2930-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2930-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA ADMINISTRATIVE CODE, WITH CERTAIN DELETIONS AND AMENDMENTS THERETO, AS THE ADMINISTRATIVE CODE OF THE CITY OF SUNNYVALE

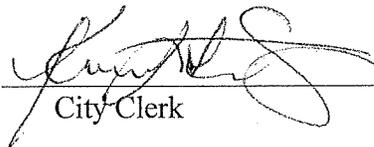
NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2930-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

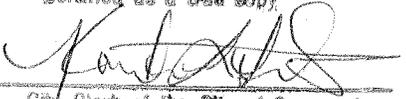
One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/26/2010

By 
City Clerk of the City of Sunnyvale

ORDINANCE NO. 2931-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA BUILDING CODE (BASED ON THE 2009 INTERNATIONAL BUILDING CODE), AS THE BUILDING CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. REPEAL. Ordinance No. 2852-07 and all prior ordinances pertaining to this subject are hereby repealed.

SECTION 2. CHAPTER 16.16 ADDED. Sunnyvale Municipal Code Chapter 16.16 is hereby added to read as set forth in Exhibit "A" attached and incorporated herein.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

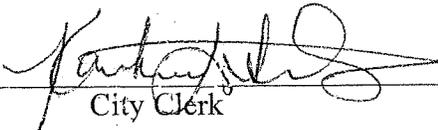
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

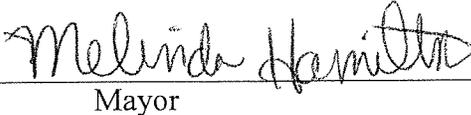
AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



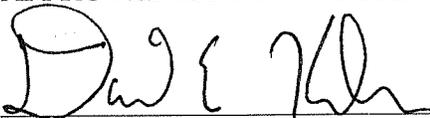
City Clerk



Mayor

Date of Attestation: 11/18/2010

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

**Chapter 16.16.
BUILDING CODE**

- 16.16.010. Title.**
- 16.16.020. Adoption by reference.**
- 16.16.030. Standards for High-Rise Buildings.**
- 16.16.040. Fire extinguishing systems.**
- 16.16.050. Definitions.**
- 16.16.060. Roof material rating.**
- 16.16.070. Modifications to ASCE 7.**
- 16.16.080. Modifications to ACI 318.**
- 16.16.090. Concrete construction.**
- 16.16.100. Moved structures.**
- 16.16.110. Administration.**

16.16.010. Title.

This chapter shall be known and may be cited and referred to as the “Building Code for the City of Sunnyvale.”

16.16.020. Adoption by reference.

The “2010 California Building Code,” including appendices C, I, and J, is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the Building Code of the City of Sunnyvale.

16.16.030. Standards for High-Rise Buildings.

California Building Code Section 403 is hereby replaced by the applicable provisions of Chapter 16.54.

16.16.040. Fire extinguishing systems.

Except for the application of Sections 504.2 and 506.3 of the California Building Code, the installation requirements for fire-extinguishing systems, including California Building Code Section 903, shall be governed by the applicable provisions of the California Fire Code as adopted by Chapter 16.52, and by the applicable provisions of Chapter 16.54.

16.16.050. Definitions.

California Building Code Chapter 2 is hereby amended to include:

For the purpose of the California Building Code, certain terms are defined as follows:

(1) “Board of appeals” means the board created to hear and determine appeals from a decision or order of the building inspection superintendent.

(2) “Building inspection superintendent” means the officer or other person charged with the administration and enforcement of the following codes of the city:

(A) Building Code,

- (B) Residential Code,
- (C) Existing Building Code,
- (D) Plumbing Code,
- (E) Mechanical Code,
- (F) Electrical Code,
- (G) Historical Buildings Code,
- (H) Energy Code,
- (I) Green Building Code.

(3) “Building official” or “chief building official” means building inspection superintendent.

(4) “The codes” mean each and all of the following codes of the city:

- (A) Building Code,
- (B) Residential Code,
- (C) Existing Building Code,
- (D) Plumbing Code,
- (E) Mechanical Code,
- (F) Electrical Code,
- (G) Historical Buildings Code,
- (H) Fire Code,
- (I) Energy Code,
- (J) Green Building Code,
- (K) Property Maintenance Code.

16.16.060. Roof material rating.

2010 California Building Code Section 1505.1.3 is amended to read as follows:

1505.1.3 Roof Coverings in All Other Areas. The entire roof covering of every existing structure where more than fifty 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 B as defined in the California Building Code.

16.16.070. Modifications to ASCE 7.

Modification to ASCE 7, Section 12.8.1.1. Modify ASCE 7 Section 12.8.1.1 by amending Equation 12.8-5 as follows:

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

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

$$\theta = \frac{P_x \Delta I}{V_x h_{sx} C_d} \quad (\text{Eq. 12.8-16})$$

16.16.080. Modifications to ACI 318.

2010 California Building Code Section 1908.1.8 is amended to read as follows:

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

22.10 - Plain concrete in structures assigned to seismic design category C, D, E or F.

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

(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 dwelling 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 footing 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. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one and two-family dwellings three stores or less in height and constructed with stud bearing walls, plain concrete 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.

16.16.090. Concrete construction.

California Building Code Section 1704.4 is hereby amended to read:

1704.4 Concrete Construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1704.4.

Exceptions: Special inspections shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi) (17.2 MPa).

2. Continuous concrete footings supporting walls of buildings three stories or less above grade plane that are fully supported on earth or rock where:

2.1. The footings support walls of light-frame construction;

2.2. The footings are designed in accordance with Table 1809.7; or

2.3. 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) (17.2 Mpa), regardless of the compressive strength specified in the construction documents or used in the footing construction.

3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi (1.03 Mpa).

4. Concrete foundation walls constructed in accordance with Table 1807.1.6.2.

5. Concrete patios, driveways and sidewalks, on grade.

16.16.100. Moved structures.

California Building Code Section 3410 is hereby amended to read:

3410.1 Conformance. Structures moved into or within the jurisdiction shall comply with the provisions of this code for new structures.

Exception: Moved apartment houses and dwellings may retain existing materials and methods of construction, provided the apartment house or dwelling complies with the building standards for foundations applicable to new construction and does not become or continue to be a substandard building. For additional information, see Health and Safety Code Section 17958.9.

16.16.110. Administration.

2010 California Building Code, Chapter 1, Division II, is hereby amended as follows:

101.2. Scope.

(a) The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolitions of every building or structure within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, or parts thereof, within and serving such building or structure, excluding therefrom the following:

(1) Any building or structure located on real property belonging to:

(A) United States of America,

(B) State of California, or any political subdivision thereof,

(C) Any chartered city or non-chartered city, or

(D) Any school district, except when the proposed use is for non-classroom facilities;

(2) Work located primarily in a public way;

(3) Public utility towers and poles;

(4) Mechanical equipment not specifically regulated in any of the codes; and

(5) Hydraulic flood control structures.

(6) Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the California Residential Code.

105.3.2 Time limitation of application.

An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, the plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to grant one or more extensions of time for additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. In order to renew action on an application after expiration, the applicant shall resubmit plans and other documents and pay a new plan review fee.

105.5 Permit Expiration.

(1) Every permit issued under the provisions of this title shall expire by limitation and become null and void, if the work authorized by the permit is not commenced within 180 days from the date of the permit, or if the work authorized by the permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days.

(2) For purposes of this title, the failure of the permittee to call for an inspection within one hundred eighty days of the date the permit was originally issued, or within one hundred eighty days of the last inspection, shall create a rebuttable presumption that the work authorized by the permit has been suspended or abandoned, and the chief building official may make a determination that the permit has expired.

(3) Upon a determination by the chief building official that a permit has expired, the permittee shall be notified in writing that such a determination has been made.

(4) If a permit has expired, no work may be recommenced until a new permit is obtained. The fee for a new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that the period of suspension or abandonment was not in excess of one year, in which case the permittee shall pay a new, full permit fee and plan review fee.

(5) Any permittee holding an unexpired permit may apply for an extension of the time within which to commence or complete work under the permit. Such requests must be submitted in writing. The building official is authorized to grant one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.7 Placement of Permit. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

107.5 Retention of Construction Documents. One set of approved construction documents shall be retained by the building official for a period of not less than 90 days from the date of completion of the permitted work, or as required by state and local law.

Note: Reference Building Standards Law, Health and Safety Code Sections 19850 and 19851, for provisions related to permanent retention of plans.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alternations requiring a permit, a fee for each permit shall be paid as required by the current fee resolution approved by the city council.

109.4 Work commencing before permit issuance. When ever any work for which a permit is required by this code has been commenced without first obtaining said permit, the fee for such permit shall be double the fee established by the current fee resolution approved by the city council.

109.4.1 Investigation fees: work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit a special investigation may be made before a permit may be issued for such work.

109.4.2 Fee. An investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

109.6 Refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this section.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid with an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except by written request filed by the original permittee and for building permits that are not expired.

109.7 Plan review fees. When a plan review is required a plan checking fee shall be paid at the time of submitting plans and specifications for checking.

When submittal documents are incomplete or changes so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at rate established in the current fee resolution adopted by the city council.

110.3.8 Other inspections. In addition to the inspections specified above the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

110.7 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

110.8 Reinspections. A reinspection fee may be assessed as deemed necessary by the building official for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection records card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is required, or for deviating from plans requiring the approval of the building official.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required reinspection fees have been paid.

The reinspection fee shall be in accordance with the current fee resolution adopted by the city council.

111.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building safety division, the building official shall either sign the approved inspection record card or issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structures.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

114.1. Unlawful acts. It is unlawful for any person to perform any grading, or to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or to install or maintain any plumbing or drainage systems, or any mechanical systems, or any electrical wiring or fire safety systems in or about any building or structure in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the administrative or technical code. Each such person is guilty of a separate offense for each and every day during any portion of which a violation of any provision of any codes continued, or permitted by such person and shall be punishable accordingly.

NOTICE OF ADOPTION OF ORDINANCE NO. 2931-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2931-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA BUILDING CODE (BASED ON THE 2009 INTERNATIONAL BUILDING CODE), AS THE BUILDING CODE OF THE CITY OF SUNNYVALE

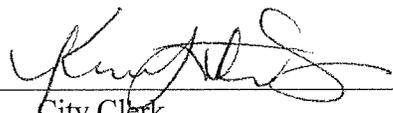
NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2931-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/16/2010

ORDINANCE NO. 2932-10

By 
City Clerk of the City of Sunnyvale

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADDING CHAPTER 16.17 (RESIDENTIAL CODE) TO TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA RESIDENTIAL CODE (BASED ON THE 2009 INTERNATIONAL RESIDENTIAL CODE) AS THE RESIDENTIAL CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER 16.17 ADDED. Sunnyvale Municipal Code Chapter 16.17 (Residential Code) is hereby added to Title 16 (Building and Construction) of the Sunnyvale Municipal Code to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

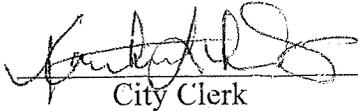
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

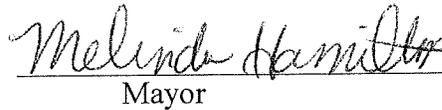
AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



City Clerk



Mayor

Date of Attestation: 11/18/2010
(SEAL)

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.17.

RESIDENTIAL CODE

16.17.010. Title.

16.17.020. Adoption by reference.

16.17.030. Fire extinguishing systems.

16.17.040. Definitions.

16.17.050. Roof material rating.

16.17.060. Sound transmission.

16.17.070. Concrete Construction.

16.17.080. Gypsum board and plaster as wall bracing materials.

16.17.090. Administration.

16.17.010. Title.

This chapter shall be known and may be cited and referred to as the “Residential Code for the City of Sunnyvale.”

16.17.020. Adoption by reference.

The “2010 California Residential Code,” including appendix H, is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the Residential Code of the city of Sunnyvale.

16.17.030. Fire extinguishing systems.

California Residential Code Section R313.1 is hereby amended by deleting the following provision:

R313.1 Exception

California Residential Code Section R313.1 is hereby amended by adding the following provision:

1. Existing Townhouses. An automatic residential fire sprinkler system shall be installed in existing townhouses when additions are made that are in excess of 50 percent of the original building area.

Firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

Exception: A one-time addition to existing townhouses that do not exceed 500 square feet of building area.

California Residential Code Section R313.2 is hereby amended by deleting the following provision:

R313.2 Exception

California Residential Code Section R313.1.1 is hereby amended to read:

R313.1.1 Design and Installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D and local standards.

California Residential Code Section R313.2 is hereby amended by adding the following provision:

1. Existing one and two family dwellings. An automatic residential fire sprinkler system shall be installed in existing one and two-family dwellings when additions are made that are in excess of 50 percent of the original building area.

Firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

Exception: One-time additions to one and two-family dwellings that do not exceed 500 square feet of building area.

2. Group U private garages and carports shall comply with Section 903.2.18 of the California Fire Code.

California Residential Code Section R313.2.1 is hereby amended to read:

R313.2.1 Design and Installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with NFPA 13D and local standards.

California Residential Code Section R313.3 is hereby amended by deleting the following provisions:

R313.3 Dwelling unit fire sprinkler systems.

16.17.040. Definitions.

California Building Code Chapter 2 is hereby amended to include:

For the purpose of the California Code, certain terms are defined as follows:

(1) "Board of appeals" means the board created to hear and determine appeals from a decision or order of the building inspection superintendent.

(2) "Building inspection superintendent" means the officer or other person charged with the administration and enforcement of the following codes of the city:

- (A) Building Code,
- (B) Residential Code,
- (C) Existing Building Code,
- (D) Plumbing Code,
- (E) Mechanical Code,
- (F) Electrical Code,
- (G) Historical Buildings Code,
- (H) Energy Code,

(I) Green Building Code

(3) “Building official” or “chief building official” means building inspection superintendent.

(4) “The codes” mean each and all of the following codes of the city:

(A) Building Code,

(B) Residential Code,

(C) Existing Building Code,

(D) Plumbing Code,

(E) Mechanical Code,

(F) Electrical Code,

(G) Historical Buildings Code,

(H) Fire Code,

(I) Energy Code,

(J) Green Building Code.

(K) Property Maintenance Code.

16.17.050. Roof material rating.

2010 California Residential Code Section R902.1.3 is amended to read as follows:

R902.1.3 Roof Coverings in All Other Areas. The entire roof covering of every existing structure where more than fifty 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 B as defined in the California Residential Code.

16.17.060. Sound transmission.

The title for 2010 California Residential Code Section R303 is amended to read as follows:

LIGHT, VENTILATION, HEATING, AND SOUND TRANSMISSION

2010 California Residential Code Section R303.9 is added to Chapter 3 of the 2010 California Residential Code to read as follows:

R303.9 Sound transmission. For sound transmission control between attached dwelling units, see Section 1207 of the California Building Code.

16.17.070. Concrete Construction.

2010 California Residential Code Section R403.1.3 is amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, 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 D0, 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 D0, 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 D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family *dwelling*s which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

16.17.080. Gypsum board and plaster as wall bracing materials.

Title for the 2010 California Residential Code Table R602.10.1.2(2) is amended to read as follows:

TABLE R602.10.1.2(2)^{a,b,c,d}
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY
(AS A FUNCTION OF BRACED WALL LINE LENGTH)

2010 California Residential Code Table R602.10.1.2(2) footnote “d” is added to the end of the table to read as follows:

^d In Seismic Design Categories D₀, D₁, and D₂, Methods GB is not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

2010 California Residential Code Section R602.10.2.1.1 is added to Chapter 6 of the 2010 California Residential Code to read as follows:

R602.10.2.1.1 Limits on methods GB and PCP. In Seismic Design Categories D₀, D₁, and D₂, Methods GB 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 D₀, D₁, and D₂, the use of Method PCP is limited to one-story single family dwellings and accessory structures.

16.17.090. Administration.

2010 California Residential Code Chapter 1 Division II is hereby amended as follows:

R101.2. Scope.

(a) The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolitions of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, or parts thereof, within and serving such buildings or structures, excluding therefrom the following:

- (1) Any building or structure located on real property belonging to:
 - (A) United States of America,

- (B) State of California, or any political subdivision thereof,
- (C) Any chartered city or non-chartered city, or
- (D) Any school district, except when the proposed use is for non-classroom facilities;
- (2) Work located primarily in a public way;
- (3) Public utility towers and poles;
- (4) Mechanical equipment not specifically regulated in any of the codes; and
- (5) Hydraulic flood control structures.

R105.3.2 Time limitation of application.

An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, the plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to grant one or more extensions of time for additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. In order to renew action on an application after expiration, the applicant shall resubmit plans and other documents and pay a new plan review fee.

R105.5 Permit Expiration.

(1) Every permit issued under the provisions of this title shall expire by limitation and become null and void, if the work authorized by the permit is not commenced within 180 days from the date of the permit, or if the work authorized by the permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days.

(2) For purposes of this title, the failure of the permittee to call for an inspection within 180 days of the date the permit was originally issued, or within one hundred eighty days of the last inspection, shall create a rebuttable presumption that the work authorized by the permit has been suspended or abandoned, and the chief building official may make a determination that the permit has expired.

(3) Upon a determination by the chief building official that a permit has expired, the permittee shall be notified in writing that such a determination has been made.

(4) If a permit has expired, no work may be recommenced until a new permit is obtained. The fee for a new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that the period of suspension or abandonment was not in excess of one year, in which case the permittee shall pay a new, full permit fee and plan review fee.

(5) Any permittee holding an unexpired permit may apply for an extension of the time within which to commence or complete work under the permit. Such requests must be submitted in writing. The building official is authorized to grant one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

R105.7 Placement of Permit. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

R106.5 Retention of Construction Documents. One set of approved construction documents shall be retained by the building official for a period of not less than 90 days from the date of completion of the permitted work, or as required by state and local law.

Note: Reference Building Standards Law, Health and Safety Code Sections 19850 and 19851, for provisions related to permanent retention of plans.

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alternations requiring a permit, a fee for each permit shall be paid as required by the current fee resolution approved by the city council.

R108.6 Work commencing before permit issuance. When ever any work for which a permit is required by this code has been commenced without first obtaining said permit, the fee for such permit shall be double the fee established by the current fee resolution approved by the city council.

R108.6.1 Investigation fees: work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit a special investigation may be made before a permit may be issued for such work.

R108.6.2 Fee. An investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

R108.5 Refunds. The building official my authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this section.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid with an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except by written request filed by the original permittee and for building permits that are not expired.

R108.7 Plan review fees. When a plan review is required a plan checking fee shall be paid at the time of submitting plans and specifications for checking.

When submittal documents are incomplete or changes so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at rate established in the current fee resolution adopted by the city council.

R109.1.5 Other inspections. In addition to the inspections specified above the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

R109.5 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

R109.6 Reinspections. A reinspection fee may be assessed as deemed necessary by the building official for each inspection or reinspection when such potion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection records card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is required, or for deviating from plans requiring the approval of the building official.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required reinspection fees have been paid.

The reinspection fee shall be in accordance with the current fee resolution adopted by the city council.

R110.3 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building safety division, the building official shall either sign the approved inspection record card or issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structures.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. If an automatic sprinkler system is provided, whether the sprinkler system is required.
9. Any special stipulations and conditions of the building permit.

R113.1. Unlawful acts. It is unlawful for any person to perform any grading, or to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or to install or maintain any plumbing or drainage systems, or any mechanical systems, or any electrical wiring or fire safety systems in or about any building or structure in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the administrative or technical code. Each such person is guilty of a separate offense for each and every day during any portion of which a violation of any provision of any codes continued, or permitted by such person and shall be punishable accordingly.

NOTICE OF ADOPTION OF ORDINANCE NO. 2932-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2932-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADDING CHAPTER 16.17 (RESIDENTIAL CODE) TO TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA RESIDENTIAL CODE (BASED ON THE 2009 INTERNATIONAL RESIDENTIAL CODE) AS THE RESIDENTIAL CODE OF THE CITY OF SUNNYVALE

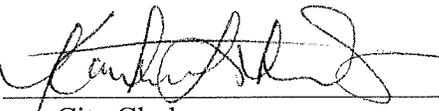
NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2932-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

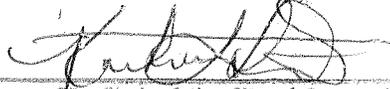
One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/26/2010

Certified as a true copy

By 
City Clerk of the City of Sunnyvale

ORDINANCE NO. 2933-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA EXISTING BUILDING CODE AS THE EXISTING BUILDING CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. REPEAL. Ordinance No. 2853-07 and all prior ordinances pertaining to this subject are hereby repealed.

SECTION 2. CHAPTER 16.18 ADDED. Sunnyvale Municipal Code Chapter 16.18 is hereby added to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

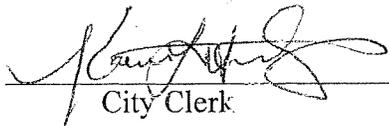
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

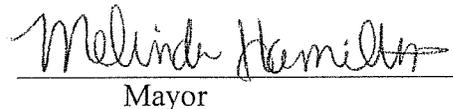
AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



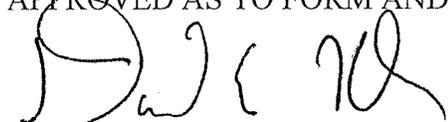
City Clerk



Mayor

Date of Attestation: 11/18/2010

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

**Chapter 16.18.
EXISTING BUILDING CODE**

16.18.010. Title.

16.18.020. Adoption by reference.

16.18.010. Title.

This chapter shall be known and may be cited and referred to as the “Existing Building Code for the City of Sunnyvale.”

16.18.020. Adoption by reference.

The “2010 California Existing Building Code,” and the 2009 International Existing Building Code Appendix A, Chapters A2, A3, A4, and A5, are hereby adopted by reference as the Existing Building Code of the City of Sunnyvale.

NOTICE OF ADOPTION OF ORDINANCE NO. 2933-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2933-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA EXISTING BUILDING CODE AS THE EXISTING BUILDING CODE OF THE CITY OF SUNNYVALE

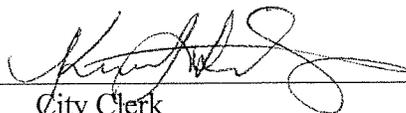
NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2933-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/26/2010

By 
City Clerk of the City of Sunnyvale

ORDINANCE NO. 2934-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA PLUMBING CODE (BASED ON THE 2009 UNIFORM PLUMBING CODE) AS THE PLUMBING CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. REPEAL. Ordinance No. 2854-07 and all prior ordinances pertaining to this subject are hereby repealed.

SECTION 2. CHAPTER 16.24 ADDED. Sunnyvale Municipal Code Chapter 16.24 is hereby added to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

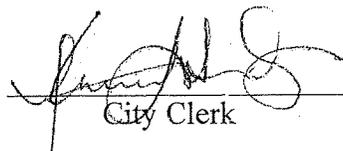
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

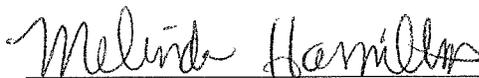
AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



City Clerk



Mayor

Date of Attestation: 11/18/2010

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.24.

PLUMBING CODE

16.24.010. Title.

16.24.020. Adoption by reference.

16.16.025. Administration.

16.24.010. Title.

This chapter shall be known and may be cited and referred to as the “Plumbing Code for the City of Sunnyvale.”

16.24.020. Adoption by reference.

The “2010 California Plumbing Code” is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the Plumbing Code of the City of Sunnyvale.

16.16.025. Administration.

2010 California Plumbing Code Chapter 1 Division II is hereby amended as follows:

California Plumbing Code Chapter 1 Division II is hereby replaced by the applicable provisions of Chapters 16.16 and 16.17.

NOTICE OF ADOPTION OF ORDINANCE NO. 2934-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2934-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA PLUMBING CODE (BASED ON THE 2009 UNIFORM PLUMBING CODE) AS THE PLUMBING CODE OF THE CITY OF SUNNYVALE

NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2934-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/26/2010

By 
City Clerk of the City of Sunnyvale

ORDINANCE NO. 2935-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA MECHANICAL CODE (BASED ON THE 2009 UNIFORM MECHANICAL CODE) AS THE MECHANICAL CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. REPEAL. Ordinance No. 2755-07 and all prior ordinances pertaining to this subject are hereby repealed.

SECTION 2. CHAPTER 16.28 ADDED. Sunnyvale Municipal Code Chapter 16.28 is hereby added to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

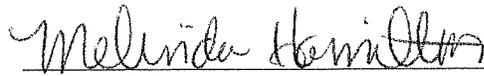
AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



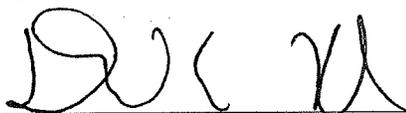
City Clerk



Mayor

Date of Attestation: 11/18/2010

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.28.

MECHANICAL CODE

16.28.010. Title.

16.28.020. Adoption by reference.

16.28.025. Administration.

16.28.010. Title.

This chapter shall be known and may be cited and referred to as the “Mechanical Code for the City of Sunnyvale.”

16.28.020. Adoption by reference.

The “2010 California Mechanical Code,” with State amendments, is hereby adopted by reference with changes and modifications as hereinafter set forth, as the Mechanical Code of the City of Sunnyvale.

16.28.025. Administration.

2010 California Mechanical Code Chapter 1 Division II is hereby amended as follows:

California Mechanical Code Chapter 1 Division II is hereby replaced by the applicable provisions of Chapters 16.16 and 16.17.

NOTICE OF ADOPTION OF ORDINANCE NO. 2935-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2935-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA MECHANICAL CODE (BASED ON THE 2009 UNIFORM MECHANICAL CODE) AS THE MECHANICAL CODE OF THE CITY OF SUNNYVALE

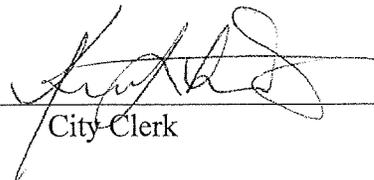
NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2935-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/26/2010

By 
City Clerk of the City of Sunnyvale

ORDINANCE NO. 2936-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE, TO ADOPT BY REFERENCE THE 2010 CALIFORNIA ELECTRICAL CODE (BASED ON THE 2008 NATIONAL ELECTRICAL CODE) AS THE ELECTRICAL CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. REPEAL. Ordinance No. 2856-07 and all prior ordinances pertaining to this subject are hereby repealed.

SECTION 2. CHAPTER 16.32 ADDED. Sunnyvale Municipal Code Chapter 16.32 is hereby added to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

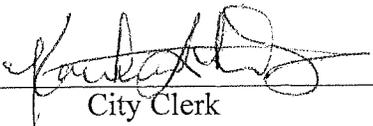
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

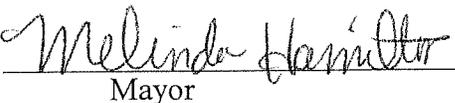
AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



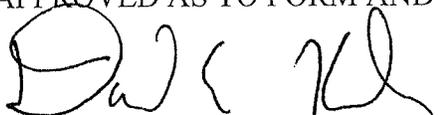
City Clerk



Mayor

Date of Attestation: 11/18/2010

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.32.

ELECTRICAL CODE

16.32.010. Title.

16.32.020. Adoption by reference.

16.32.030. Administration.

16.32.010. Title.

This chapter shall be known and may be cited and referred to as the “Electrical Code for the City of Sunnyvale.”

16.32.020. Adoption by reference.

The “2010 California Electrical Code” is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the Electrical Code of the City of Sunnyvale.

16.32.030. Administration.

2010 California Electrical Code section 89.101 is hereby amended as follows:

California Electrical section 89.101 is hereby replaced by the applicable provisions of Chapters 16.16 and 16.17.

NOTICE OF ADOPTION OF ORDINANCE NO. 2936-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2936-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE, TO ADOPT BY REFERENCE THE 2010 CALIFORNIA ELECTRICAL CODE (BASED ON THE 2008 NATIONAL ELECTRICAL CODE) AS THE ELECTRICAL CODE OF THE CITY OF SUNNYVALE

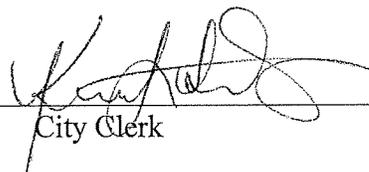
NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2936-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

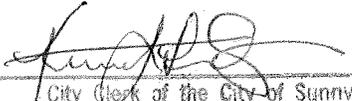
One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/26/2010

ORDINANCE NO. 2937-10

By 
City Clerk of the City of Sunnyvale

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE, TO ADOPT BY REFERENCE THE 2010 CALIFORNIA HISTORICAL BUILDING CODE AS THE EXISTING HISTORICAL BUILDING CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. REPEAL. Ordinance No. 2857-07 and all prior ordinances pertaining to this subject are hereby repealed.

SECTION 2. CHAPTER 16.34 ADDED. Sunnyvale Municipal Code Chapter 16.34 is hereby added to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No.459-10.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

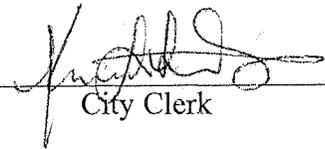
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

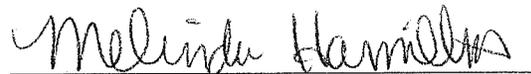
AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



City Clerk



Mayor

Date of Attestation: 11/18/2010

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.34.

HISTORICAL BUILDING CODE

16.34.010. Title.

16.34.020. Adoption by reference.

16.34.010. Title.

This chapter shall be known and may be cited and referred to as the “Historical Building Code for the City of Sunnyvale.”

16.34.020. Adoption by reference.

The “2010 California Historical Building Code” is hereby adopted by reference as the Historical Building Code of the City of Sunnyvale.

NOTICE OF ADOPTION OF ORDINANCE NO. 2937-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2937-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE, TO ADOPT BY REFERENCE THE 2010 CALIFORNIA HISTORICAL BUILDING CODE AS THE EXISTING HISTORICAL BUILDING CODE OF THE CITY OF SUNNYVALE

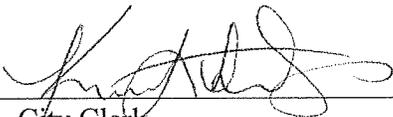
NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2937-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

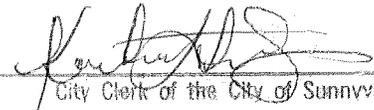
One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/26/2010

ORDINANCE NO. 2938-10

By 
City Clerk of the City of Sunnyvale

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA ENERGY CODE AS THE ENERGY CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. REPEAL. Ordinance No. 2858-07 and all prior ordinances pertaining to this subject are hereby repealed.

SECTION 2. CHAPTER 16.42 ADDED. Sunnyvale Municipal Code Chapter 16.42 is hereby added to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

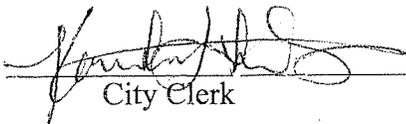
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



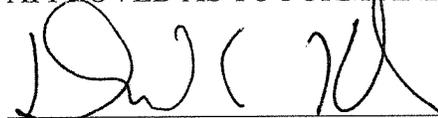
City Clerk



Mayor

Date of Attestation: 11/18/2010

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.42.

ENERGY CODE

16.42.010. Title.

16.42.020. Adoption by reference.

16.42.010. Title.

This chapter shall be known and may be cited and referred to as the “Energy Code for the City of Sunnyvale.”

16.42.020. Adoption by reference.

The “2010 California Energy Code” is hereby adopted by reference as the Energy Code of the City of Sunnyvale.

NOTICE OF ADOPTION OF ORDINANCE NO. 2938-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2938-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA ENERGY CODE AS THE ENERGY CODE OF THE CITY OF SUNNYVALE

NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2938-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/26/2010

By 
City Clerk of the City of Sunnyvale

ORDINANCE NO. 2939-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADDING CHAPTER 16.43 (GREEN BUILDING CODE) TO TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE AS THE GREEN BUILDING CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER 16.43 ADDED. Sunnyvale Municipal Code Chapter 16.43 (Green Building Code) is hereby added to Title 16 (Building and Construction) of the Sunnyvale Municipal Code to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

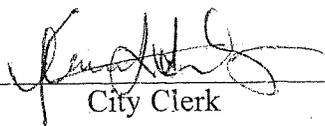
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

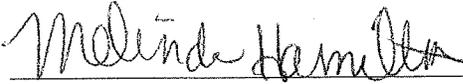
AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



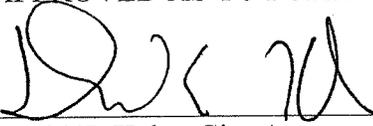
City Clerk



Mayor

Date of Attestation: 11/18/2010

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.43.

GREEN BUILDING CODE

16.43.010. Title.

16.43.020. Adoption by reference.

16.43.030. Fireplaces and Wood-Burning Appliances.

16.43.010. Title.

This chapter shall be known and may be cited and referred to as the “Green Building Code for the City of Sunnyvale.”

16.43.020. Adoption by reference.

The “2010 California Green Building Standards Code” is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the Green Building Code of the City of Sunnyvale.

16.43.030. Fireplaces and Wood-Burning Appliances.

California Green Building Code Section 4.503 is amended to read:

(a) **Section 4.503 Fireplaces and Wood-Burning appliances.** Any installed gas fireplace shall be a direct-vent sealed-combustion type. Any installed wood-burning fireplace, stove, or pellet stove shall comply with U.S. EPA Phase II emission limits where applicable.

(b) This section shall not apply to the repair, reconstruction or replacement of any lawful, existing wood-burning appliance.

(c) This section shall not apply to a gas fireplace. However, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood-burning appliance and shall be subject to the requirements of this chapter.

(d) It is unlawful to burn the following in any fireplace or wood-burning appliance:

- (1) Coal;
- (2) Garbage;
- (3) Glossy or colored paper;
- (4) Paint;
- (5) Paint solvent;
- (6) Particle board;
- (7) Plastic or items made from plastic;
- (8) Rubber or items made from rubber;
- (9) Salt water driftwood;
- (10) Treated wood; and
- (11) Waste petroleum products.

California Green Building Code Section 5.503 is amended to read:

(a) **Section 5.503 Fireplaces and Wood-Burning appliances.** Any installed gas fireplace shall be a direct-vent sealed-combustion type. Any installed wood-burning fireplace, stove, or pellet stove shall comply with U.S. EPA Phase II emission limits where applicable.

(b) This section shall not apply to the repair, reconstruction or replacement of any lawful, existing wood-burning appliance.

(c) This section shall not apply to a gas fireplace. However, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood-burning appliance and shall be subject to the requirements of this chapter.

(d) It is unlawful to burn the following in any fireplace or wood-burning appliance:

- (1) Coal;
- (2) Garbage;
- (3) Glossy or colored paper;
- (4) Paint;
- (5) Paint solvent;
- (6) Particle board;
- (7) Plastic or items made from plastic;
- (8) Rubber or items made from rubber;
- (9) Salt water driftwood;
- (10) Treated wood; and
- (11) Waste petroleum products.

NOTICE OF ADOPTION OF ORDINANCE NO. 2939-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2939-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADDING CHAPTER 16.43 (GREEN BUILDING CODE) TO TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE AS THE GREEN BUILDING CODE OF THE CITY OF SUNNYVALE

NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2939-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

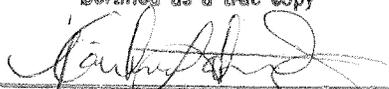
One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

By 
City Clerk

PUBLISH: 11/26/2010

ORDINANCE NO. 2940-10

By 
City Clerk of the City of Sunnyvale

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE AS THE PROPERTY MAINTENANCE CODE OF THE CITY OF SUNNYVALE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. REPEAL. Repeal Ordinance Nos. 2859-07 and all prior ordinances pertaining to the subject are hereby repealed.

SECTION 2. CHAPTER 16.50 ADDED. Sunnyvale Municipal Code Chapter 16.50 is hereby added to Title 16 of the Sunnyvale Municipal Code to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the City of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 4. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 5. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 6. FINDINGS. The deletions, amendments and/or additions to the California Building Codes as set out in Exhibit "A" and which are the subject of this ordinance, are based upon the General and Specific findings by the City Council of the City of Sunnyvale, which findings are set forth in Resolution No. 459-10.

SECTION 7. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect on January 1, 2011.

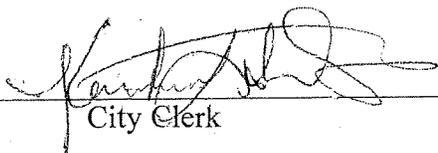
SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held November 9, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on November 16, 2010, by following vote:

AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

APPROVED:



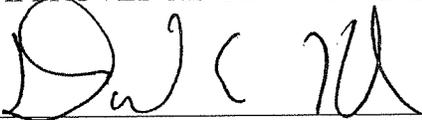
City Clerk



Mayor

Date of Attestation: 11/18/2010

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney

Chapter 16.50.

PROPERTY MAINTENANCE CODE

16.50.010. Title.

16.50.020. Adoption by reference.

16.50.010. Title.

This chapter shall be known and may be cited and referred to as the “Property Maintenance Code for the City of Sunnyvale.”

16.50.020. Adoption by reference.

The “2009 International Property Maintenance Code” is hereby adopted by reference as the Property Maintenance Code of the City of Sunnyvale. All references to jurisdictional requirements are found in the Sunnyvale Municipal Code or other appropriate schedules.

NOTICE OF ADOPTION OF ORDINANCE NO. 2940-10

NOTICE IS HEREBY GIVEN that the City Council of the City of Sunnyvale, at a regular meeting thereof held on November 16, 2010, adopted Ordinance No. 2940-10, entitled as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING TITLE 16 (BUILDING AND CONSTRUCTION), OF THE SUNNYVALE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE AS THE PROPERTY MAINTENANCE CODE OF THE CITY OF SUNNYVALE

NOTICE IS FURTHER GIVEN that copies of said Ordinance No. 2940-10 have been posted in three (3) prominent places in the City of Sunnyvale, as follows:

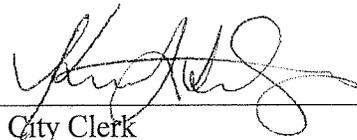
One on the bulletin board of the Sunnyvale Public Library, located at 665 West Olive Avenue, Sunnyvale, California;

One on the bulletin board of the Public Safety Headquarters, located at 700 All America Way, Sunnyvale, California;

One on the bulletin board in the main lobby of the City Hall, located at 456 West Olive Avenue, Sunnyvale, California.

DATED: 11/18/2010

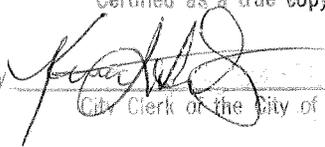
By



City Clerk

PUBLISH: 11/26/2010

RESOLUTION NO. 459-10

By 
 City Clerk of the City of Sunnyvale

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
 OF SUNNYVALE FINDING AND DETERMINING THE
 NEED FOR MODIFICATIONS TO THE 2010 CALIFORNIA
 BUILDING CODE**

WHEREAS, the City of Sunnyvale is adopting the 2010 California Building Codes with numerous changes and modifications;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE that it finds and determines there is a need to adopt the changes or modifications because of local climatic, topographic, geological and related geographic conditions.

General Findings

1. Climatic

- a. **Precipitation.** Precipitation ranges from 4.83 to 30.30 inches per year with an average of approximately 13.86 inches per year. Approximately 90% falls during the months of November through April and 10% from May through October. This area experienced a major drought in 1977-78 and a moderate drought the next five years; it is possible that more droughts will occur in the future. The local climate is characterized by markedly delineated rainy and dry seasons, which tend to maximize the expansive characteristics of soil.
- b. **Relative Humidity.** Humidity generally ranges from 60% during daytime to 80% at night. It drops to 20% during the summer months and occasionally drops lower.
- c. **Temperatures.** Temperatures have been recorded as high as 108° F. Average summer highs are in the 78°-82° F. range.
- d. **Winds.** Prevailing winds are from the Northwest or Southeast. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5-mph to 15-mph range, gusting to 7.4 mph to 30 mph, particularly during the summer months. Extreme winds, up to 60 mph, have been known to occur.
- e. **Summary.** These local climatic conditions affect the acceleration, intensity and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another commonly found in Sunnyvale. During wood shake and shingle roof fires, or exposure fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fires back into the building and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts.

2. Geological, Geographic and Topographic

- a. **Geographic Location.** Sunnyvale is located in the Santa Clara Valley. It has taken its place as the second largest city in the heart of the "Silicon Valley," the center for an expanding and changing technology industry.

b. Seismic Location. Sunnyvale is situated on alluvial soils between San Francisco Bay and the San Andreas Fault zone. The City's location makes it particularly vulnerable to damage to taller and older structures caused by seismic events. The relatively young geological processes that have created the San Francisco Bay Area are still active today. Seismically, the City sits between two active earthquake faults (San Andreas and the Hayward/Calaveras) and numerous potentially active faults.

c. Seismic and Fire Hazards. Gypsum wallboard and exterior portland cement plaster have performed poorly during recent California seismic events. The shear values for gypsum wallboard and portland cement stucco contained in the code are based on mono-directional testing. It is appropriate to limit the use of these products until cyclic loading testing are performed and evaluated. Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number, should a significant seismic event occur. Public safety resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single dwelling or structure fires.

Other variables may tend to intensify the situation:

1. The extend of damage to the water system;
2. The extent of isolation due to bridge and/or freeway overpass collapse;
3. The extent of roadway damage and/or amount of debris blocking the roadways;
4. Climatic conditions (hot, dry weather with high winds);
5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
6. The availability of timely mutual aid or military assistance;
7. The large portion of dwellings with wood shingle roof coverings could result in conflagrations.

d. Size and Population. The City has an area over 24 square miles in size and a population estimated to be 140,450.

e. Development. Sunnyvale is a community, which is projected to add 7,200 new residential units within the next twenty-five years, primarily in multi-family configurations, for which building security is a matter of acute importance.

f. Public Safety Department. Sunnyvale utilizes a public safety (joint police/fire) department with personnel who function as both fire suppression and police officers, resulting in fewer personnel than otherwise would be required for a city of its size. A premium is therefore placed on built-in physical techniques and devices as crime preventative measures. It is therefore also imperative that fire detection and suppression occur as quickly as possible to minimize loss of property and life. For these reasons the most stringent provisions are required concerning fire detection, alarm and suppression systems.

g. Roads and Streets. The number of vehicle miles driven in the City is steadily increasing and considerable efforts in traffic and roadway improvements are being made to ease the crush of commuters to and through the City to their homes and places of work. Because of the City's high concentration of jobs, much of the peak traffic is made by nonresidents traveling to or from Sunnyvale. The impact of planned developments and traffic flow will continue to have an effect on the Department of Public Safety and delivery of fire services.

h. Industry. Sunnyvale is the site of many manufacturing and research industries which use toxic, flammable and explosive chemicals and materials in potentially hazardous combinations. Special precautions thus are required to minimize the risk of damage to adjoining persons and properties.

i. Mixed Industrial/Residential Uses. High-density residential uses are located near high-risk industries, necessitating special precautions.

j. Transportation. Sunnyvale is divided by an interstate highway, which potentially could affect response times of fire suppression equipment.

k. Soil Conditions and Topography. Sunnyvale lies at the southern end of San Francisco Bay and is built atop the alluvial deposits that surround the margins of the Bay. The alluvium was created by the flooding of the many streams emptying into the San Francisco Bay depression, and from intermittent seawater inundation that has occurred over the last 2 or 3 million years. The areas closest to the Bay are overlain by unconsolidated fine silty clay, known as "Bay Mud" which varies in thickness from a few feet to as much as 30 feet. Generally, the older, more stable alluvium is to the south and the younger, less stable material is to the north. Bedrock lies beneath the area at depths generally 300' or more. The topography is essentially flat, dropping from an elevation of 300 feet to sea level. The slope across the City is in a northeasterly direction from the high point in the southwest corner to the Bay. The average slope is approximately 0.9%.

The Silicon Valley is within a very active seismic area and local soil conditions can be highly expansive (clay soils). The Northridge earthquake provided hundreds of examples of damage to plain concrete footings. This type of damage is extremely expensive to repair, in contrast to the small expense of providing nominal footing reinforcement. Footing reinforcement is also necessary to prevent damage due to pumping action caused by local expansive soils, which shrink and swell during seasonal drying and wetting conditions.

Most of the surface soils in the Silicon Valley are relatively young and unconsolidated sedimentary materials formed from a wide variety of parent materials. The varying chemical composition, degree of weathering, and the relatively acid environment have created soils of varying types, which are particularly corrosive in nature. Much of the surface soil in the Silicon Valley is highly expansive (i.e., shrink-swell behavior) and has low bearing strength.

l. Water/Sewer. Some parts of the Silicon Valley have hard water, which is corrosive to ferrous pipe. The groundwater table is unusually high in many places. Expansive soils create unstable conditions, which increase the potential of breaks in sewer laterals. To maintain health and sanitary services, it is necessary to gain access, to periodically maintain public sanitary laterals.

m. Buildings, Landscaping and Clearances. Many of the newer large buildings and building complexes are of designs, which greatly limit visibility and approach to and accessibility by Public Safety resources. Many houses and other buildings with wood roofs and/or sidings are so close together that fire will readily spread from one to another by both radiation and convection.

n. Summary. The stated local geological, geographic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Department of Public Safety. Lying beneath Sunnyvale are thick layers of sand, gravel and clay, known as alluvium, which amplify the effects of earthquakes. Based on the damage caused in Santa Clara Valley by the 1906 earthquake and the poor performance of alluvial deposits during earthquakes, this area could be subject to severe damage.

Findings.

With the exception of changes justified on administrative grounds, the local amendments of the 2010 California Building Codes are justified by all of the aforementioned general findings.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of this resolution, together with the ordinances making the changes and modifications to the enumerated uniform codes, to be filed with the State Department of Housing and Community Development.

Adopted by the City Council at a regular meeting held on November 16, 2010, by the following vote:

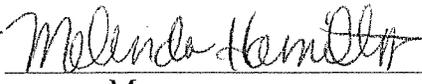
AYES: LEE, GRIFFITH, MOYLAN, HAMILTON, SPITALERI, WHITTUM, SWEGLES
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:



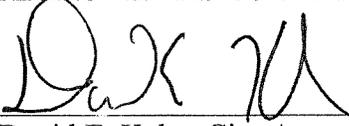
City Clerk
(SEAL)

APPROVED:



Mayor

APPROVED AS TO FORM AND LEGALITY:



David E. Kahn, City Attorney