

**BUILDING STANDARDS COMMISSION**

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



January 24, 2014

Lucinda Norman, Deputy City Clerk  
Office of the City Clerk  
City of San Jose  
200 East Santa Clara St. – Wing, 2<sup>nd</sup> Floor  
San Jose, CA 95113

RE: Ordinance #29334

Dear Ms. Norman:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 11, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code 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.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**O'Brien, Laurie@DGS**

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**From:** Norman, Lucinda <Lucinda.Norman@sjlibrary.org>  
**Sent:** Wednesday, December 11, 2013 9:11 AM  
**To:** OrdinanceFilings@DGS  
**Subject:** Ordinance 29334 City of San Jose  
**Attachments:** Ordinance 29334.pdf

2013 DEC 11 P 2:31  
SAN JOSE BUILDING  
STANDARDS COMMISSION

Please see attached ordinance 29334 adopting 2013 State Codes for the City of San Jose.

Regards,

Lucinda Norman | Deputy City Clerk  
City of San José | Office of the City Clerk  
200 East Santa Clara Street - Wing, 2nd Floor | San José, CA 95113  
w 408.793.5538 | f 408.292.6207  
[lucinda.norman@sanjoseca.gov](mailto:lucinda.norman@sanjoseca.gov)

**ORDINANCE NO. 29334**

**AN ORDINANCE OF THE CITY OF SAN JOSE  
AMENDING VARIOUS SECTIONS OF TITLE 24 OF  
THE SAN JOSE MUNICIPAL CODE TO ADOPT  
THE 2013 CALIFORNIA BUILDING, RESIDENTIAL,  
PLUMBING, MECHANICAL, ELECTRICAL CODES,  
CALIFORNIA EXISTING BUILDING CODE,  
CALIFORNIA HISTORICAL BUILDING CODE,  
CALIFORNIA GREEN BUILDING STANDARDS  
CODE AND 2012 INTERNATIONAL EXISTING  
BUILDING CODE WITH CERTAIN EXCEPTIONS,  
MODIFICATIONS AND ADDITIONS**

**WHEREAS**, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City may adopt the provisions of the California Building, Residential, Plumbing, Mechanical, Electrical, Existing Building, Historical Building Codes, Green Building Standards Code, and International Existing Building Code, with certain amendments to those provisions which are reasonably necessary to protect the health, welfare and safety of the citizens of San José because of local climatic, geological and topographical conditions; and

**WHEREAS**, the City Council hereby makes the following findings with respect to local geological, topographical and climatic conditions relating to the amendments to the California Codes for which such findings are required:

- A. The San Francisco Bay area region is densely populated and located in an area of high seismic activities. San Jose is bounded by the Hayward and San Andreas faults capable of producing major earthquakes
- B. Concern for fire-life safety associated with a structural failure due to a seismic event considering the increasing number of buildings in the region, the use of new structural systems, the poor performance of certain materials, and the quality of construction.
- C. Severe seismic events could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the Fire Department resulting to meet the fire and life safety needs of the community.
- D. The local geographic, topographic, and climatic conditions pose an increase hazard in acceleration, spread, magnitude, and severity of



City Clerk

## CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk  
200 East Santa Clara Street  
San José, California 95113  
Telephone (408) 535-1260  
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STATE OF CALIFORNIA)  
COUNTY OF SANTA CLARA)  
CITY OF SAN JOSE)

I, Toni J. Taber, City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 29334**", the original copy of which is attached hereto, was passed for publication of title on the **5<sup>th</sup> day of November, 2013**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **19<sup>th</sup> day of November, 2013**, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA, KHAMIS, LICCARDO,  
NGUYEN, OLIVERIO, ROCHA; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

VACANT: NONE.

Said ordinance is effective as of **20<sup>th</sup> day of December, 2013**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **21<sup>st</sup> day of November, 2013**.

(SEAL)

TONI J. TABER, CMC  
CITY CLERK & EX-OFFICIO  
CLERK OF THE CITY COUNCIL

/rmk

potential fires in the City of San Jose, and may cause a delayed response from emergency responders, allowing further growth of the fire.

- E. Additional findings with respect to certain amendments to the California Codes are as set forth in specific Code sections.
- F. Amendments to the California Codes have been adopted in the past by the San José City Council based on specific findings of local geographic, topographic and climatic conditions; and the Council hereby reaffirms such findings and confirms that the facts on which such findings were based continue to exist.
- G. The provisions of this Ordinance establishing certain more restrictive standards than the California Codes will better serve to prevent or minimize structural damage resulting from local conditions; and

**WHEREAS**, this Ordinance was found to be categorically exempt from environmental review, per the provisions of the California Environmental Quality Act of 1970, as amended, 14 California Code of Regulations Section 15061(b)(3) and Title 21 of the San José Municipal Code, under File Number PP13-082; and

**WHEREAS**, the City Council of the City of San José is the decision-making body for this Ordinance; and

**WHEREAS**, this Council has reviewed and considered the Statement of Exemption determination under CEQA prior to taking any approval actions on this Ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:**

SECTION 1. Section 24.01.120 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.120 Exemption for Pending Applications**

- A. The provisions of the 2013 California Building, Residential, Plumbing, Mechanical, Electrical Codes, California Existing Building Code, California Historical Building Code, California Green Building Standards Code and 2012 International Existing Building Code as adopted and amended herein, shall not apply to any building or structure for which application for a building permit was made prior to January 1, 2014. Such buildings or structure shall be erected, constructed, enlarged, altered or repaired in

accordance with the provisions of this Chapter in effect at the date of said application.

- B. All other applications shall be processed in accordance with the provisions of the 2013 edition of the California Building Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, the California Existing Building Code, the California Electrical Code, the California Historical Building Code, the California Green Building Standards Code, and the 2012 International Existing Building Code as adopted and amended herein.

SECTION 2. Section 24.01.224 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.224 Building Code**

"Building Code" means the California Building Code, or CBC, 2013 edition, based on 2012 International Building Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this Title.

SECTION 3. Section 24.01.233 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.233 Electrical Code**

"Electrical Code" means the California Electric Code or CEC, 2013 edition, based on 2011 National Electric Code promulgated by the National Fire Protection Association, as amended and set forth in the California Building Standards Code, Title 24, Part 3 and in this Title.

SECTION 4. Section 24.01.236 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.236 Existing Building**

"Existing Building" means a building legally erected prior to January 1, 2014 or one for which a legal building permit has been issued.

SECTION 5. Section 24.01.237 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.237 Existing Building Code**

“Existing Building Code” means the California Existing Building Code, or CEBC, 2013 edition, based on 2012 International Existing Building Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this Title.

SECTION 6. Section 24.01.238 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.238 Fire Code**

“Fire Code” is the California Fire Code or CFC, 2013 edition, based on 2012 International Fire Code promulgated by the International Code Council, including the Appendix thereto, together with those omissions, amendments, exceptions and additions there to as amended in the California Code of Regulations and in this Title.

SECTION 7. Section 24.01.239 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.239 Green Building Standards Code**

“Green Building Standards Code” means the California Green Building Standards Code, or CAL Green, 2013 edition, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this Title.

SECTION 8. Section 24.01.240 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.240 Historical Building Code**

“Historical Building Code” means the California Historical Building Code, or CHBC, 2013 edition, including the appendix thereto in Title 24 of the California Code of Regulations, together with those omissions, amendments, exceptions and additions thereto as amended in this Title.

SECTION 9. Section 24.01.241 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.241 International Existing Building Code**

"International Existing Building Code" means the International Existing Building Code or IEBC, 2012 edition, promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in this Title.

SECTION 10. Section 24.01.245 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.245 Mechanical Code**

"Mechanical Code" is the California Mechanical Code or CMC, 2013 edition, based on 2012 Uniform Mechanical Code promulgated by the International Association of Plumbing and Mechanical Officials, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this Title.

SECTION 11. Section 24.01.260 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.260 Plumbing Code**

"Plumbing Code" is the California Plumbing Code, or CPC, 2013 edition, based on 2012 Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this Title.

SECTION 12. Section 24.01.265 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.265 Residential Code**

"Residential Code" means the California Residential Code, or CRC, 2013 edition, based on 2012 International Residential Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this Title.

SECTION 13. Section 24.01.350 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.350 Existing Occupancy**

- A. Buildings in existence on December 31, 2013 may have their existing use or occupancy continued if the use or occupancy was legal at the time of the adoption of the Building Code, and provided continued use is not dangerous to life, health and safety.
- B. A change in the use or occupancy of any existing building or structure shall comply with the provisions of Part 6 of Chapter 24.02 and Chapter 34 of the Building Code.

**SECTION 14.** Section 24.01.365 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.365 Temporary Structures**

- A. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by a permit issued pursuant to CBC 3103.
- B. Buildings or structures erected under a temporary structure permit shall comply with CBC 3103.
- C. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

**SECTION 15.** Section 24.01.410 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.01.410 Conflicting Provisions.**

- A. When conflicting provisions or requirements relating to building standards occur between this title, the technical codes and other codes or laws, the most restrictive shall govern.
- B. When conflicts occur between building standards in the technical codes, those provisions providing the greater safety to life shall govern. Where sanitation, life safety, or fire safety are not involved, the most restrictive building standards provisions shall govern.
- C. Where in a specific case different sections of the technical codes specify different materials, methods of construction or other building standard requirements, the most restrictive shall govern. When there is a conflict

Roseryn Bhudaboury  
Communications Director  
Office of Councilmember Ash Kalra  
San José City Hall

between the general building standard requirement and a requirements, the specific requirement shall be applicable.

- D. Where conflicts occur between administrative provisions in this Code and administrative provisions in the technical codes, the provisions in this Code shall govern.

Warmly,

SECTION 16. Section 24.02.120 of Chapter 24.02 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

24.02.120 Building Permit Exemptions

- A. A building permit shall not be required for the following:

- One-story detached accessory buildings used as tool sheds, playhouses and similar uses, provided the total area does not exceed 120 square feet (11.15 m<sup>2</sup>).
- Fences not over seven feet (2,134 mm) high.
- Oil derricks.
- Nonfixed and movable fixtures cases, racks, counters and partitions not over five feet nine inches (1,753 mm) high.
- Retaining walls which are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
- Water tanks supported directly upon grade if the total capacity does not exceed five thousand gallons (18,925 liters) and the diameter or width does not exceed two to one.
- Platforms, walks and driveways not more than thirty inches (762 mm) above grade and not over any basement or story below and are not part of an accessible route.
- Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- Temporary motion picture, television and theater stage sets and scenery.

From: Bhudaboury, Roseryn  
Sent: Tuesday, October 29, 2013 2:29 PM  
To: Thiyagarajan, Charulatha  
Subject: RE: October P-card

10. Window awnings, in Group R-3 and U occupancies, supported by an exterior wall that do not project more than fifty-four inches from the exterior wall and do not require additional support.
  11. Prefabricated swimming pools accessory to a Group R, Division 3 occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed five thousand gallons (18,925 liters).
  12. Replacement, repair or overlay of less than twenty-five percent of an existing roof within any twelve-month period.
  13. Swings and other playground equipment accessory to detached one- and two-family dwellings.
- B. Unless otherwise exempted by this Title, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

SECTION 17. Section 24.02.130 of Chapter 24.02 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.02.130 Plumbing Permit Exemptions**

A plumbing permit shall not be required for the following:

- A. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this Title.
- B. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
- C. The installation of one and twenty-eight hundredths (1.28) gallons per flush or less water closets installed in existing residential dwelling units or existing commercial restrooms, when done as part of a City water conservation retrofit incentive program. These exempted installations shall be limited to the replacement of non-water conserving water closets installed on existing roughed-in plumbing and shall not apply to water closet installations in new construction or addition, relocation or remodeling projects. Commercial restroom water closet replacements

shall be made by a licensed plumbing contractor and shall comply with current accessibility requirements. Existing accessibility features may not be removed or diminished.

SECTION 18. Section 24.02.355 of Chapter 24.02 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.02.355 Plan Check Renewals and Extensions**

- A. All plan check submittals and approvals must be updated to meet this title when the permit is issued one year or more after January 1, 2015.
- B. When a plan check submittal or approval has expired, then it must be resubmitted and appropriate fees paid for review for conformance with the current codes
- C. Plan check time extensions for one-building projects must comply with the following.
  - 1. A plan check submittal or approval may be extended one time for an additional one hundred eighty days by applicant making a written request to Building Official and paying appropriate fee.
  - 2. Plan check submittal or approval for one- building projects shall not be extended more than once, except that, the Building Official may approve an extension of not more than three hundred sixty days when the applicant demonstrates that circumstances beyond the control of applicant have prevented action from being taken. In this case, the Chief Building Official may require that additional fees be paid and plans be revised to partially or fully comply with the current codes.
- D. Plan check time extensions for ongoing multi- building projects must comply with all of the following:
  - 1. A plan check submittal or approval may be extended one time for an additional one hundred eighty days by applicant making written request to Building Official and paying appropriate fees.
  - 2. If a permit for at least one building has been issued, then the plan check approval is valid for one hundred eighty days from the latest permit issuance date, subject to the above limitations. The plan check approval may be extended for an additional three hundred sixty-day period by applicant making a written request to Building

Official and paying appropriate fees, subject to the above limitations.

3. Plan check submittal or approval for multi- building projects shall not be extended more than once, except that, the Building Official may approve an extension of not more than three hundred sixty days when the applicant demonstrates that circumstances beyond the control of applicant have prevented action from being taken. In this case, the Building Official may require that additional fees be paid.

**SECTION 19.** Section 24.02.545 of Chapter 24.02 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.02.545    Structural Observation**

Structural observation shall be provided in accordance with Section 1704 of the Building Code. Additional structural observation may be required when deemed necessary by the Building Official.

**SECTION 20.** Section 24.02.630 of Chapter 24.02 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.02.630    Issuance of Certificate**

After the Building Official inspects the building or structure and finds no violations of the provisions of this Title or other laws, the Building Official shall issue a certificate of occupancy which shall contain the following:

- A. The building permit number.
- B. The address of the building.
- C. The name and address of the owner.
- D. A description of that portion of the building for which the certificate is issued.
- E. A statement that the described portion of the building has been inspected for compliance with the requirements of this Title for the group and division of occupancy and the use for which the proposed occupancy is classified.
- F. The name of the Building Official.
- G. The edition of the code under which the permit was issued.

- H. The use and occupancy, in accordance with the provision of CBC Chapter 3.
- I. The type of construction as defined in CBC Chapter 6.
- J. If an automatic sprinkler system is provided.

**SECTION 21.** Section 24.02.710 of Chapter 24.02 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.02.710 Appeals Jurisdiction**

An applicant for or holder of a permit whose proposed solution for meeting the requirements of Title 24 of the California Code of Regulations is not approved or authorized by the Building Official may file an appeal with the building codes and disabled access advisory board.

**SECTION 22.** Section 24.03.100 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.100 Adoption of Technical Provisions of California Building Code**

- A. Except as otherwise provided for in this Chapter, the California Building Code, 2013 edition (CBC) are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CBC has been filed for use and examination of the public in the Office of the City Clerk of the City of San José.

**SECTION 23.** Section 24.03.110 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.110 Portions of California Building Code which are not Approved, Adopted or Incorporated by Reference**

- A. The following portions of the "California Building Code, 2013 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the Building Code of the City of San José:
  - 1. Section 1.8.4
  - 2. Section 1.8.5

3. Section 1.8.7.
4. Section 1.8.8
5. Section 1.8.9
6. Section 2505

B. The following appendices are adopted:

1. CBC Appendix C, Agricultural Buildings.
2. CBC Appendix J, Grading.

SECTION 24. Section 24.03.120 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.120 Cross-References to California Building Code**

The provisions of this Chapter contain cross- references to the provisions of the CBC, 2013 edition, in order to facilitate reference and comparison to those provisions.

SECTION 25. Section 24.03.210 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.210 Findings**

The amendments set forth in this Part are reasonably necessary because of the following local geological, topographical and climatic conditions:

- A. San José is within a very active seismic area. Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department resulting in failure to meet the fire and life safety needs of the community.
- B. The local geographic, topographic and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the City of San José, and may cause a delayed fire response time, allowing further growth of the fire.

- C. If not amended, Sections 402.5, 403.3, 404.3, 410.7 of the CBC would allow omission of fire sprinkler coverage in certain areas of covered malls, high-rise buildings, buildings with atriums, stages and platforms.
- D. The requirement for total fire sprinkler coverage set forth in the amendment is a more restrictive standard which will better prevent fire damage which can result from local conditions.

**SECTION 26.** Section 24.03.220 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.220 Covered Mall Buildings (CBC 402)**

Subsection 402.5 of CBC Section 402 is deleted and replaced with the following:

*402.5 Automatic sprinkler system.* Covered and open mall buildings and buildings connected shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, which shall comply with the following:

1. The automatic sprinkler system shall be complete and operative throughout occupied space in the covered mall building prior to occupancy of any of the tenant spaces. Unoccupied tenant spaces shall be similarly protected unless provided with approved alternate protection.
2. Sprinkler protection for the mall shall be independent from that provided for tenant spaces or anchors. Where tenant spaces are supplied by the same system, they shall be independently controlled.
3. Sprinkler protection for the tenant spaces of an open mall building shall be independent from that provided for the anchor buildings.
4. Sprinkler protection shall be provided beneath exterior circulation balconies located adjacent to an open mall.

*402.9.1 Standpipe system.* The covered mall building shall be equipped throughout with a standpipe system as required by Section 905.3.3.

**SECTION 27.** Section 24.03.230 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.230 High-Rise Buildings (CBC 403)**

Subsection 403.3 of CBC Section 403 is deleted and replaced with the following:

*403.3 Automatic sprinkler system.* Buildings and structures shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and a secondary water supply where required by Section 903.3.5.2. A sprinkler water-flow alarm-initiating device and a control valve with a supervisory signal-initiating device shall be provided at the lateral connection to the riser for each floor.

SECTION 28. Section 24.03.250 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.250 Stages and Platforms (CBC 410)**

Subsection 410.7 of CBC Section 410 is deleted and replaced with the following:

*410.7 Automatic sprinkler system.* Stages shall be equipped with an automatic sprinkler system in accordance with Chapter 9. Sprinklers shall be installed under the roof and gridiron and under all catwalks and galleries over the stage. Sprinklers shall be installed in dressing rooms, performer lounges, shops, and storerooms accessory to such stages.

Exceptions: Sprinklers are not required within portable orchestra enclosures on stages.

SECTION 29. Section 24.03.311 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.311 Section 717.2.2**

CBC Section 717.2.2 is deleted and replaced with the following:

*717.2.2 Hazardous exhaust ducts.* Penetrations of structural elements by a hazardous exhaust system shall conform to Sections 717.2.2.1 through 717.2.2.4.

*717.2.2.1 Fire Dampers and smoke dampers.* Fire dampers and smoke dampers are prohibited in hazardous exhaust ducts.

*717.2.2.2 Floors.* Hazardous exhaust systems that penetrate a floor/ceiling assembly shall be enclosed in a fire-resistance-rated shaft constructed in accordance with Section 713.

**717.2.2.3 Wall assemblies.** Hazardous exhaust duct systems that penetrate fire-resistance-rated construction shall be enclosed in a fire-resistance-rated shaft from the point of penetration to the outlet terminal, except where the interior of the duct is equipped with an approved automatic fire suppression system. Ducts shall be enclosed in accordance with Section 713 requirements for shaft construction and such enclosure shall have a minimum fire-resistance-rating of not less than the highest fire-resistance-rated wall assembly penetrated.

**717.2.2.4 Fire Walls.** Ducts shall not penetrate a fire wall.

**SECTION 30.** Section 24.03.415 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.415 Cross-References to California Fire Code**

The provisions of this part contain cross-references to the provisions of the California Fire Code or CFC, 2013 edition, in order to facilitate reference and comparison to those provisions.

**SECTION 31.** Section 24.03.425 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.425 Automatic Sprinkler Systems (CBC 903)**

A. Subsection 903.2 of CBC Section 903 is deleted and replaced with the following:

**903.2 Where required.** Approved automatic sprinkler systems shall be provided in the following:

- a. Throughout existing buildings and structures where an increase is made to the floor area that results in the building exceeding ten thousand square feet.
- b. Throughout existing buildings that are greater than ten thousand square feet wherein a change in the nature of occupancy results in an increase in the risk category based on CBC Table 1604.5.
- c. Throughout existing one- and two-family dwellings where an increase of over five hundred square feet is made to the floor area that results in the building exceeding three thousand six hundred square feet.

- d. Throughout buildings and structures that are four or more stories in height, regardless of floor area.
- e. Throughout new buildings and structures that exceed six thousand two hundred square feet.
- f. In new buildings and structures described in sections 903.2.1 through 903.2.12.

(Sections 903.2.1.2 through 903.2.18 remain unchanged).

- B. The following subsection is added to CBC 903.2.8:

*903.2.8.1 Balconies and decks.* Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios, provided there is a roof deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within one inch (25 mm) to six inches (152 mm) below the structural members and a maximum distance of fourteen inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

- C. Subsection 903.4 of CBC Section 903 is amended to include the following exception:

Exceptions: Kitchen hood and duct fixed extinguishing systems located in monitored buildings.

SECTION 32. Part 5 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

SECTION 33. Section 24.03.620 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

SECTION 34. Section 24.03.630 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

SECTION 35. Section 24.03.640 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

SECTION 36. Section 24.03.650 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.650 Modification to ASCE 7-10, Section 12.12.3**

Equation 12.12-1 of Section 12.12.3 ASCE 7-10 is amended to read as follows:

$$\Delta_M = C_d \Delta_{max} \quad (\text{Equation 12.12-1})$$

where:

$C_d$  = Deflection amplification factor in Table 12.2-1 of ASCE 7.  
 $\Delta_{max}$  = Maximum displacement defined in Section 12.8.4.3 of ASCE 7.

SECTION 37. Section 24.03.660 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

SECTION 38. Section 24.03.720 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.720 Modification to CBC Section 1705.3**

Section 1705.3 of CBC is amended to read as follows:

*1704.4 Concrete Construction.* The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

*Exceptions:* Special inspection 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 MPa strength,  $f'_c$ , no greater than two thousand five hundred 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 two thousand five hundred 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 one hundred fifty 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.

SECTION 39. Section 24.03.835 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.835 Bracing (CBC Section 2308.9.3)**

CBC Section 2308.9.3 is amended to read as follows:

*2308.9.3 Bracing*

- A. Braced wall lines shall consist of braced wall panels which meet the requirements for location, type and amount of bracing as shown in Figure 2308.9.3, specified in Table 2308.9.3(1) and are in line or offset from each other by not more than four feet (1219 mm). Braced wall panels shall start not more than twelve and one-half feet (3810 mm) from each end of a braced wall line. Braced wall panels shall be clearly indicated on the plans. Construction of braced wall panels shall be by one of the following methods:
  1. Wood boards of 5/8-inch (16 mm) net minimum thickness applied diagonally on studs spaced not over twenty-four inches (610 mm) on center.
  2. Wood structural panel sheathing with a thickness not less than 5/16-inch (7.9 mm) for sixteen-inch (406 mm) stud spacing and not less than 3/8-inch (9.5 mm) for twenty-four-inch (610 mm) stud spacing in accordance with Tables 2308.9.3(2) and 2308.9.3(3).

3. Fiberboard sheathing not less than four-foot by eight-foot (1,219 mm by 2,438 mm) panels, except at boundaries and changes in framing, and not less than 1/2-inch (13 mm) thick applied vertically or horizontally on studs spaced not over sixteen inches (406 mm) on center, with all edges blocked, when installed in accordance with Section 2306.3 and Table 2306.3 (2).
4. Particleboard wall sheathing panels where installed in accordance with Table 2308.9.3(4).
5. Portland cement plaster on studs spaced sixteen inches (406 mm) on center installed in accordance with Section 2510. Limited to one story structures of U-1 occupancies. The maximum height-to-width ratio of the braced panels to be 1.5:1 and 2:1 for unblocked and blocked construction, respectively.
6. Hardboard panel siding when installed in accordance with Section 2303.1.6 and Table 2309.9.3(5).

For cripple wall bracing see Section 2308.9.4.

For methods, 1, 2, 3, 4, 5 and 6, each braced wall panel must be at least forty-eight inches (1,219 mm) in length, covering three stud spaces where studs are sixteen inches (406 mm) apart and covering two stud spaces where studs are spaced twenty-four inches (610 mm) apart.

- B. All vertical joints of panel sheathing shall occur over studs. Horizontal joints shall occur over blocking equal in size to the studding except where waived by the installation requirements for the specific sheathing materials.
- C. Braced wall panel sole plates shall be nailed to the floor framing and top plates shall be connected to the framing above in accordance with Table 2304.9.1. Sills shall be bolted to the foundation or slab in accordance with Chapter 23. Where joists are perpendicular to braced wall lines above, blocking shall be provided under and in line with the braced wall panels.

SECTION 40. Section 24.03.840 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

SECTION 41. Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended by adding a section to be numbered and entitled and to read as follows:

**24.03.842 Section 2306.3**

CBC Section 2306.3 is amended to read as follows:

2306.3 *Wood-frame shear walls.* Wood-frame shear walls shall be designed and constructed in accordance with AF&PA SDPWS. Where panels are fastened to framing members with staples, requirements and limitations of AF&PD SDPWS shall be met and the allowable shear values set forth in Table 2306.3(1), or 2306.3(2) shall be permitted. The allowable shear values in Tables 2306.3(1) and 2306.3(2) are permitted to be increased 40 percent for wind design. Panels complying with ANSI/APA PRP-210 shall be permitted to use design values for Plywood Siding in AF&PA SDPWS.

SECTION 42. Section 24.03.845 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

SECTION 43. Section 24.03.860 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.860 Table 2308.12.4**

CBC Table 2308.12.4 is deleted and replaced with the following:

<b>TABLE 2308.12.4 WALL BRACING IN SEISMIC DESIGN CATEGORIES D AND E (Minimum Percentage of Wall Bracing per each Braced Wall Line <sup>a</sup>)</b>					
<b>CONDITION</b>	<b>SHEATHING TYPE <sup>b</sup></b>	<b>S<sub>DS</sub> &lt; 0.50</b>	<b>0.50 S<sub>DS</sub> &lt; 0.75</b>	<b>0.75 S<sub>DS</sub> 1.00</b>	<b>S<sub>DS</sub> &gt; 1.00</b>
One Story	G-P <sup>c</sup>	43	59	75	100
	S-W	21	32	37	<u>48</u>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- a. Minimum length of panel bracing of one face of the wall for S-W sheathing shall be at least 4'-0" long or both faces of the wall for G-P sheathing shall be at least 8'-0" long; h/w ratio shall not exceed 2:1. For S-W panel bracing of the same material on two faces of the wall, the minimum length is permitted to be one-half the tabulated value but the h/w ratio shall not exceed 2:1 and design for uplift is required. The 2:1 h/w ratio limitation does not apply to alternate braced wall panels constructed in accordance with Section 2308.9.3.1 or 2308.9.3.2. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide [actual 1 1/2 inch (38mm)] or larger members and spaced a maximum of 16 inches on center. Braced wall panel construction types shall not be mixed within a braced wall line.
- b. G-P= fiberboard, particleboard, Portland cement plaster; S-W = wood structural panels.
- c. Nailing as specified below shall occur at all panel edges at studs, at top and bottom plates and, where occurring, at blocking:
  - For fiberboard and particleboard, No. 11 gauge (0.120 inch) by 1-1/2 inches long, 7/16-inch head, galvanized nails at 3 inches on center.
  - For Portland cement plaster, No. 11 gauge (0.120 inch) by 1-1/2 inches long, 7/16-inch head at 6 inches on center.

**SECTION 44.** Section 24.03.920 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

**SECTION 45.** Section 24.03.930 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.930 Repairs (CBC Section 3405)**

Subsection 3405.2.1 is deleted and replaced with the following:

*3405.2.1 Evaluation and design procedures.* The building shall be evaluated by a registered design professional, and the evaluation findings shall be submitted to the code official. The evaluation shall establish whether the damaged building, if repaired to its pre-damage state, would comply with the provisions of this code for wind and earthquake loads. Evaluation for earthquake loads shall be required if the substantial structural damage was caused by or related to earthquake effects or if the

building is in Seismic Design Category C, D, E or F. The seismic evaluation and design shall be based on the procedures specified in the building code, ASCE 41 Seismic Evaluation and Upgrade of Existing Buildings. The procedures contained in Appendix A of the International Existing Building Code shall be permitted to be used as specified in Section 3405.2.1.2.

Wind loads for this evaluation shall be those prescribed in Section 1609.

**3405.2.1.1 CBC level seismic forces.** When seismic forces are required to meet the building code level, they shall be one of the following:

1. One hundred percent of the values in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor specified for structural systems classified as "Ordinary" unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as "intermediate" or "special".
2. Forces corresponding to BSE-1 and BSE-2 Earthquake Hazard Levels defined in ASCE 41. Where ASCE 41 is used, the corresponding performance levels shall be those shown in Table 3405.2.1.1.

TABLE 3405.2.1.1 ASCE 41 PERFORMANCE LEVELS		
RISK CATEGORY (BASED ON CBC TABLE 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL *
I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Damage Control	Limited Safety
IV	Immediate Occupancy (IO)	Life Safety (LS)
* Only applicable when Tier 3 procedure is used.		

**3405.2.1.2 Reduced CBC level seismic forces.** When seismic forces are permitted to meet reduced building code levels, they shall be one of the following:

1. Seventy-five percent of the forces prescribed in the Building Code. The R factor used for analysis in accordance with

Chapter 16 of the Building Code shall be the R factor as specified in Section 3405.2.1.1.

2. In accordance with the California Existing Building Code and applicable chapters in Appendix A of the International Existing Building Code, as specified in Items a. through e. below. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A shall be deemed to comply with the requirements for reduced building code force levels.
  - a. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Risk Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1 of CEBC.
  - b. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Risk Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2 of IEBC.
  - c. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Risk Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3 of IEBC.
  - d. Seismic evaluation and design of soft, weak, or open-front wall conditions in multi-unit residential buildings of wood construction in Risk Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4 of IEBC.
  - e. Seismic evaluation and design of concrete buildings and concrete with masonry infill buildings in all risk categories are permitted to be based on the procedures specified in Appendix Chapter A5 of IEBC.
3. Those associated with the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 3405.2.1.1. Where ASCE 41 is used, the design spectral response acceleration parameters  $S_{XS}$  and  $S_{X1}$  shall not be taken less than seventy-five percent of the respective

design spectral response acceleration parameters SDS and SD1 defined by the California Building Code and its reference standards.

**SECTION 46.** Section 24.03.940 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

**SECTION 47.** Section 24.03.1010 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.03.1010 Reference Standards (CBC Chapter 35)**

Chapter 35 is amended to add the following:

Standard Referenced Number	Title	Reference in Code; Section Number
ASCE 41-13	Seismic Evaluation and Upgrade of Existing Buildings	3405.2.1, TABLE 3405.2.1.1, 3405.2.1.2

**SECTION 48.** Section 24.04.100 of Chapter 24.04 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.04.100 Adoption of Technical Provisions of California Plumbing Code**

- A. Except as otherwise provided for in this Chapter, the California Plumbing Code, 2013 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CPC has been filed for use and examination of the public in the Office of the City Clerk of the City of San José.

**SECTION 49.** Section 24.04.110 of Chapter 24.04 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.04.110 Portions of California Plumbing Code which are not Approved, Adopted or Incorporated by Reference**

A. The following portions of the California Plumbing Code or CPC, 2013 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the plumbing code of the City of San José:

1. Section 1.8.4
2. Section 1.8.5
3. Section 1.8.7
4. Section 1.8.8
5. Section 1.8.9

B. The following appendices are adopted:

1. CPC Appendix A, Recommended Rules for Sizing Water Supply Systems.
2. CPC Appendix B, Notes on Combination Waste and Vent Systems.
3. CPC Appendix D, Sizing Stormwater Drainage Systems.
4. CPC Appendix H, Private Sewage Disposal Systems.
5. CPC Appendix G, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use With Type B Vents.
6. CPC Appendix I, Installation Standards.

**SECTION 50.** Section 24.05.100 of Chapter 24.05 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.05.100 Adoption of Technical Provisions of California Mechanical Code**

A. Except as otherwise provided for in this Chapter, the California Mechanical Code, 2013 edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of

the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

- B. One copy of the CMC has been filed for use and examination of the public in the Office of the City Clerk of the City of San José.

SECTION 51. Section 24.05.110 of Chapter 24.05 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.05.110 Portions of California Mechanical Code which are not Approved, Adopted or Incorporated by Reference**

The following portions of the California Mechanical Code or CMC, 2013 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the mechanical code of the City of San José:

- A. Section 1.8.4
- B. Section 1.8.5
- C. Section 1.8.7
- D. Section 1.8.8
- E. Section 1.8.9

SECTION 52. Section 24.06.100 of Chapter 24.06 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.06.100 Adoption of Technical Provisions of California Electrical Code**

- A. Except as otherwise provided for in this Chapter, the California Electrical Code, 2013 edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CEC has been filed for use and examination of the public in the Office of the City Clerk of the City of San José.

SECTION 53. Chapter 24.06 of Title 24 of the San José Municipal Code is hereby amended by adding a Section to be numbered and entitled and to read as follows:

**24.06.110 Portions of California Electrical Code which are not Approved, Adopted or Incorporated by Reference**

The following portions of the California Electrical Code or CEC, 2013 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the Mechanical Code of the City of San José:

- A. Section 89.108.4
- B. Section 89.108.5
- C. Section 89.108.7
- D. Section 89.108.8
- E. Section 89.108.9

SECTION 54. Section 24.07.100 of Chapter 24.07 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.07.100 Adoption of Technical Provisions of the California Existing Building Code**

- A. Except as otherwise provided for in this Chapter, the California Existing Building Code 2013 edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CEBC has been filed for use and examination of the public in the Office of the City Clerk of the City of San José.

SECTION 55. Section 24.08.100 of Chapter 24.08 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.08.100 Adoption of Technical Provisions of the International Existing Building Code**

- A. Except as otherwise provided for in this Chapter, the International Existing Building Code 2012 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the IEBC has been filed for use and examination of the public in the Office of the City Clerk of the City of San José.

**SECTION 56.** Section 24.08.110 of Chapter 24.08 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.08.110 Portions of International Existing Building Code which are Approved, or Adopted or Incorporated by Reference**

The following portions of the International Existing Building Code, 2012 edition, or of the appendix thereto, are approved or adopted or incorporated in this Chapter by reference, and shall be deemed to be a part of this Chapter:

- A. Appendix Chapter A2, Earthquake Hazard Reduction in Existing Reinforced Concrete and Reinforced Masonry Wall Buildings with Flexible Diaphragms.
- B. Appendix Chapter A3, Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light, Wood-Frame Residential Buildings.
- C. Appendix Chapter A4, Earthquake Risk Reduction in Wood-Frame Residential Buildings with Soft, Weak or Open-Front Walls.
- D. Appendix Chapter A5, Earthquake Hazard Reduction in Existing Concrete Buildings.

**SECTION 57.** Section 24.09.100 of Chapter 24.09 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.09.100 Adoption of Technical Provisions of California Residential Code**

- A. Except as otherwise provided for in this Chapter, the California Residential Code, 2013 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted,

and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

- B. One copy of the CRC has been filed for use and examination of the public in the Office of the City Clerk of the City of San José.

SECTION 58. Section 24.09.110 of Chapter 24.09 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.09.110 Portions of California Residential Code which are not Approved, Adopted or Incorporated by Reference**

- A. The following portions of the California Residential Code, 2013 edition, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the residential code of the City of San José:

1. Section 1.8.4
2. Section 1.8.5
3. Section 1.8.7
4. Section 1.8.8
5. Section 1.8.9
6. Chapter 1, Division II

- B. The following appendices are adopted:

1. Appendix E; Manufactured Housing Used as Dwelling (excluding Sections AE101 through AE 307).
2. Appendix G; Swimming Pools, Spas and Hot Tubs.
3. Appendix H; Patio Covers.
4. Appendix K; Sound Transmission.

**SECTION 59.** Chapter 24.09 of Title 24 of the San José Municipal Code is hereby amended by adding a Section to be numbered and entitled and to read as follows:

**24.09.225 Climatic and Geographic Design Criteria (CRC Section R301.2)**

CRC Section R301.2 Table R301.2(1) is amended to read as follows:

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

<b>GROUND SNOW LOAD</b>	<b>WIND DESIGN</b>		<b>SEISMIC DESIGN CATEGORY</b>	<b>SUBJECT TO DAMAGE FROM</b>		
	<b>Speed (mph)</b>	<b>Topographic effects</b>		<b>Weathering</b>	<b>Frost line depth (inches)</b>	<b>Termite</b>
0	85	No	D1 through E	Negligible	5	Very High

<b>WINTER DESIGN TEMP (°F)</b>	<b>ICE BARRIER UNDERLAYMENT REQUIRED</b>	<b>FLOOD HAZARDS</b>	<b>AIR FREEZING INDEX</b>	<b>MEAN ANNUAL TEMP (°F)</b>
-40	No	Refer to footnotes	0	59.7

**Footnotes:**

- a) The City of San Jose entered the National Flood Insurance Program in 1982.
- b) The effective date of the current Flood Insurance Study and flood Insurance Rate Map is May 18, 2009.
- c) The panel numbers and dates of all currently effective FIRMs and FBFMs: 06085C0035H, 06085C0045H, 06085C0055H, 06085C0058H, 06085C0061H, 06085C0062H, 06085C0064H, 06085C0066H, 06085C0067H, 06085C0068H, 06085C0069H, 06085C0087H, 06085C0088H, 06085C0089H, 06085C0095H, 06085C0208H, 06085C0209H, 06085C0216H, 06085C0217H, 06085C0227H, 06085C0228H, 06085C0229H, 06085C0232H, 06085C0233H, 06085C0234H, 06085C0236H, 06085C0237H, 06085C0238H, 06085C0239H, 06085C0241H, 06085C0242H, 06085C0243H, 06085C0244H, 06085C0252H, 06085C0253H, 06085C0254H, 06085C0256H, 06085C0258H, 06085C0259H, 06085C0261H, 06085C0262H, 06085C0263H, 06085C0264H, 06085C0266H, 06085C0268H, 06085C0269H, 06085C0290H, 06085C0377H, 06085C0381H, 06085C0382H, 06085C0383H, 06085C384H, 06085C401H, 06085C0402H, 06085C0403H, 06085C0406H, 06085C0407H, 06085C0408H, 06085C0409H, 06085C0412H, 06085C0420H, 06085C426H, 06085C0428H, 06085C0429H, 06085C0435H, 06085C0436H, 06085C0440H, 06085C0441H, 06085C0442H, 06085C0443H, 06085C0455H, 06085C0461H, 06085C0462H, and 06085C0600H.

**SECTION 60.** Section 24.09.230 of Chapter 24.09 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.09.230 Design Criteria (CRC Section R301.2.1.1)**

CRC Section R301.2.1.1 is amended to read as follows:

*R301.2.1.1 Design criteria.* In regions where the basic wind speed shown on Figure R301.2(4)(A) equals or exceeds one hundred ten miles per hour (49 m/s), the design of buildings for wind loads shall be in accordance with one of the following methods.

1. International Code Council (ICC) Standard for Residential Construction in High Wind Regions (ICC-600); or
2. Minimum Design Loads for Buildings and Other Structures (ASCE-7); or
3. American Iron and Steel Institute (AISI) Standard for Cold-Formed Steel Framing-Prescriptive Method for One-and Two-Family Dwellings (AISI S230).
4. California Building Code.

SECTION 61. Part 3 of Chapter 24.09 of Title 24 of the San José Municipal Code is hereby amended to be entitled as follows:

**Part 3  
Foundations and Braced Wall Panels (CRC Chapters 4 and 6)**

SECTION 62. Section 24.09.320 of Chapter 24.09 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.09.320 Seismic Reinforcing (CRC Section R403.1.3)**

CRC Section 403.1.3 is amended to read as follows:

*403.1.3 Seismic reinforcing.* Concrete footings located in Seismic Design Categories D0, D1, D2, as established in Table R301.2 (1), shall have minimum reinforcement of two continuous longitudinal reinforcing bars, one located at the top and one located at the bottom, and of a size 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 (76mm) 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 (1219mm) on

center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

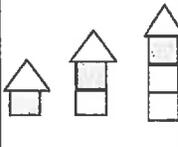
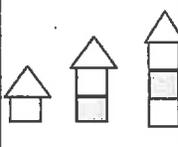
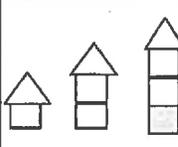
In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

SECTION 63. Section 24.09.330 of Chapter 24.09 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.09.330 Wall Bracing (CRC Section R602.10 Table R602.10.3(3))**

CRC Section R602.10 Table R602.10.3(3) is amended to read as follows:

Table R602.40.4.2(2) R602.10.3(3)a,b  
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY  
(AS A FUNCTION OF BRACED WALL LINE LENGTH)

SOIL CLASS D <sub>a</sub> WALL HEIGHT = 10FT 10 PSF FLOOR DEAD LOAD 15 PSF ROOF/CEILING DEAD LOAD BRACED WALL LINE SPACING ≤ 25 FT			MINIMUM TOTAL LENGTH (feet) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE			
Seismic Design Category (SDC)	Story Location	Braced Wall Line Length	Method LIB	Methods DWB, SFB, PBS, PCP, HPS	Method WSP	Continuous Sheathing
SDC D <sub>0</sub> or D <sub>1</sub>		10	NP	6.0	2.0	1.7
		20	NP	12.0	4.0	3.4
		30	NP	18.0	6.0	5.1
		40	NP	24.0	8.0	6.8
		50	NP	30.0	10.0	8.5
		10	NP	NP	4.5	3.8
		20	NP	NP	9.0	7.7
		30	NP	NP	13.5	11.5
		40	NP	NP	18.0	15.3
		50	NP	NP	22.5	19.1
SDC D <sub>2</sub>		10	NP	8.0	2.5	2.1
		20	NP	16.0	5.0	4.3
		30	NP	24.0	7.5	6.4
		40	NP	32.0	10.0	8.5
		50	NP	40.0	12.5	10.6
		10	NP	NP	5.5	4.7
		20	NP	NP	11.0	9.4
		30	NP	NP	16.5	14.0
		40	NP	NP	22.0	18.7
		50	NP	NP	27.5	23.4
		10	NP	NP	NP	NP
		20	NP	NP	NP	NP
		30	NP	NP	NP	NP
		40	NP	NP	NP	NP
		50	NP	NP	NP	NP
	Cripple wall below one- or two-story dwelling	10	NP	NP	7.5	6.4
		20	NP	NP	15	12.8
		30	NP	NP	22.5	19.1
		40	NP	NP	30	25.5
		50	NP	NP	37.5	31.9

For SI: 1 foot = 304.8 mm, 1 pound per square foot = 47.89 Pa.

a. Linear interpolation shall be permitted.

a. b. Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the S<sub>d</sub>s values associated with the seismic design categories shall be permitted when a site - specific S<sub>d</sub>s value is determined in accordance with Section 1613.5.3 of the California Building Code.

b. Foundation cripple wall panels shall be braced in accordance with Section R602.40.0.

c. Methods of bracing shall be as described in Sections R602.10.2, R602.10.4 and R602.10.5.

For SI: 1 foot = 304.8 mm, 1 pound per square foot = 47389 Pa.

- a. Linear interpolation shall be permitted.
- b. Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the Sds values associated with the seismic design categories when a site-specific Sds value is determined in accordance with Section 1613.5 of the California building code.

**SECTION 64.** Section 24.10.100 of Chapter 24.10 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.10.100 Adoption of Technical Provisions of the California Green Building Standard Code**

- A. Except as otherwise provided for in this Chapter, the residential mandatory measures and nonresidential mandatory measures of the California Green Building Standards (CALGreen) 2013 edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CALGreen Code has been filed for use and examination of the public in the Office of the City Clerk of the City of San José.

**SECTION 65.** Section 24.11.100 of Chapter 24.11 of Title 24 of the San José Municipal Code is hereby amended to read as follows:

**24.11.100 Adoption of Technical Provisions of the California Historical Building Code**

- A. Except as otherwise provided for in this Chapter, the California Historical Building Code, 2013 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CHBC has been filed for use and examination of the public in the Office of the City Clerk of the City of San José.

PASSED FOR PUBLICATION of title this 5<sup>th</sup> day of November, 2013, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA,  
KHAMIS, NGUYEN, ROCHA..

NOES: LICCARDO, OLIVERIO; REED.

ABSENT: NONE.

DISQUALIFIED: NONE.



---

CHUCK REED  
Mayor

ATTEST: 

---

TONI J. TABER, CMC  
City Clerk

**BUILDING STANDARDS COMMISSION**

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



January 27, 2014

Teresa Lewis, Deputy City Clerk  
Office of the City Clerk  
City of San Jose  
200 East Santa Clara Street – Wing, 2<sup>nd</sup> Floor  
San Jose, CA 95113

RE: Ordinance #29349

Dear Ms. Lewis:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on January 8, 2014.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code 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.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**O'Brien, Laurie@DGS**

---

**From:** Lewis, Teresa <Teresa.Lewis@sanjoseca.gov>  
**Sent:** Wednesday, January 08, 2014 10:07 AM  
**To:** OrdinanceFilings@DGS  
**Subject:** City of San Jose Fire Code Ordinance  
**Attachments:** Ord 29349 Fire Code.pdf

Teresa Lewis | Deputy City Clerk  
City of San José | Office of the City Clerk  
200 East Santa Clara Street - Wing, 2nd Floor | San José, CA 95113  
w 408.535.1256 | f 408.292.6207  
[Teresa.Lewis@sanjoseca.gov](mailto:Teresa.Lewis@sanjoseca.gov)

The mass of plastic in the Great Pacific Gyre, the earth's largest ecosystem, is now six times the mass of plankton!



# CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk  
200 East Santa Clara Street  
San José, California 95113  
Telephone (408) 535-1260  
FAX (408) 292-6207

City Clerk

STATE OF CALIFORNIA)  
COUNTY OF SANTA CLARA)  
CITY OF SAN JOSÉ)

I, Toni J. Taber, City Clerk & Ex-Officio Clerk of the Council of and for the City of San José, in said County of Santa Clara, and State of California, do hereby certify that **Ordinance No. 29349**, the original copy of which is attached hereto, was passed for publication of title on the **3rd day of December 2013**, was published in accordance with the provisions of the Charter of the City of San José, and was given final reading and adopted on the **10th day of December 2013** by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA, KHAMIS,  
LICCARDO, NGUYEN, OLIVERIO, ROCHA; REED.

NOES: NONE.

ABSENT: NONE.

ABSTAINED: NONE.

VACANT: NONE.

Said ordinance is effective as of **January 10, 2014**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San José, this **16th day of December 2013**.

(SEAL)

TONI J. TABER, CMC  
CITY CLERK & EX-OFFICIO  
CLERK OF THE CITY COUNCIL

**ORDINANCE NO. 29349**

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING CHAPTER 17.12 OF TITLE 17 OF THE SAN JOSE MUNICIPAL CODE TO ADOPT THE 2013 CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS RELATING TO FIRE FLOW, SPRINKLER AND FIRE ALARM SYSTEMS AND STANDARDS, ACCESS CONTROL DEVICES, LARGE BATTERY CHARGING SYSTEMS AND CONTINUOUS GAS DETECTION SYSTEMS AND TO MAINTAIN EXISTING FIRE PROTECTION AND REGULATORY AUTHORITY**

**WHEREAS**, the Fire Marshal of the State of California has adopted that certain fire code, entitled "2013 California Fire Code", which, with certain deletions, amendments, exceptions and additions, and including certain appendices has been copyrighted and published by the California Building Standards Commission; and

**WHEREAS**, pursuant to Sections 13143.5 and 18941.5 of the California Health and Safety Code, certain amendments to the building standards contained in the 2013 California Fire Code, as set forth in this Ordinance, are reasonably necessary to protect the health, welfare and safety of the citizens of San José because of local climatic, geological and topographical conditions; and

**WHEREAS**, the City Council of the City of San José (the "City" or "San José") hereby makes the following findings with respect to local geological, topographical and climatic conditions relating to the amendments to the 2013 California Fire Code for which such findings are required:

- A. The City's dense population creates constant challenge for the Fire Department in providing overall effective service to the community by protecting life, property, and the environment through prevention and response. The high density metropolitan environment contributes to the likelihood of an impeded response. Heavy traffic congestion on the City's major streets already acts as a barrier to timely response for fire and emergency vehicles. Roadway traffic flow is increasing due to the population growth associated with the construction of new high density facilities such as High Rise Buildings. The increased congestion increases the likelihood of injury or property damage. In the event of an accident or other emergency at one of the key points of intersection, sections of the City could be isolated and response time could be sufficiently delayed so as to further increase the likelihood of undesirable consequences.
- B. San José is part of the Santa Clara County region which is made of several exceptional communities. The seamless fire protection efforts provided through "automatic or mutual aid" agreements allow for each community to support each other, but this can also reduce coverage of fire stations during first-response and subsequent multiple-response

incidents. A high rise incident will draw multiple alarm assignments taking numerous fire stations out of service. This situation would cause a "move-up" of other fire stations to cover the empty stations. Thus, many fire stations will ultimately be affected for an alarm assignment/dispatch. Hence, even with mutual aid or possibly due to it, extended response times could further increase the likelihood of undesirable consequences.

- C. Climate is one of the understated factors that impact fire behavior and other major emergency events in the Santa Clara Valley region, as the local climate is generally considered to be temperate. However, because climate cannot be controlled, significant impacts on fire and emergency response may result when it is unusually hot or wet. Moisture loss during a long, hot, dry, season will increase combustibility throughout the City's less developed and Wildland areas resulting in fires and increased medical calls such as heat stroke. Conversely, heavy rains increase the likelihood of traffic congestion on the City's streets, creating a barrier to timely response for fire and emergency vehicles.
- D. The City is located within a very active seismic area. Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on both private fire protection systems and equipment. The limited and widely dispersed resources of the Fire Department could result in failure to meet and provide the fire protection and life safety needs of the community.
- E. The major earthquake faults in the region are the San Andreas, Hayward and Calaveras Faults. Other active and potentially active faults include the Silver Creek Fault. A US Geological Survey Study, release in April 2009 charts the course of the Silver Creek Fault throughout the densely populated area of downtown San Jose, where many of the City's highest buildings are located. Earthquakes can result in the hazard of liquefaction, which is the transformation of soil from a solid state to a liquid state. According to the most recently published maps prepared by the California Geological Survey, the City's downtown is in an area that has potential for liquefaction during a major earthquake.
- F. The local geographic, topographic and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the City of San José, and may cause disruptions in operation of private fire protection systems and equipment and delayed fire response time, allowing for further fire growth and spread.
- G. Amendments to the California Fire Code have been adopted in the past by the San José City Council based on specific findings of local geographic, topographic and climatic conditions; and the Council hereby reaffirms such findings and confirms that the facts on which such findings were based continue to exist.

- H. The provisions of this Ordinance establishing certain more restrictive standards than the 2013 California Fire Code are reasonably necessary to protect the health, welfare and safety of the citizens of San José because of the local conditions noted above and will better serve to prevent or minimize fire damage resulting from the local conditions stated above; and

**WHEREAS**, Chapter 17.12 of the San José Municipal Code must be amended to adopt the 2013 California Fire Code with local amendments and to maintain the existing level of fire protection and regulatory authority within the City of San José; and

**WHEREAS**, this Ordinance was found to be categorically exempt from environmental review, per the provisions of Section 15061(b)(3) of the California Environmental Quality Act of 1970, as amended, and Section 21.08.500 of the San José Municipal Code, under PP 10-173;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:**

**SECTION 1.** Section 17.12.010 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**17.12.010**     **San José Fire Code**

The San José Fire Code shall consist of the 2013 California Fire Code (CFC) as copyrighted and published by the California Building Standards Commission which is hereby adopted and incorporated by reference into this Chapter, subject to the deletions, amendments, exceptions, and additions, which are specified in this Chapter.

**SECTION 2.** Section 17.12.020 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**17.12.020**     **Compliance Required**

It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or equipment, or maintain any use, or cause or permit or suffer the same to be done, in a manner which does not conform to the requirements of this Chapter, any provision of the 2013 California Fire Code as adopted under this Chapter, or any permit issued under this Chapter.

**SECTION 3.** Section 17.12.090 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**17.12.090**     **Exemption for Pending Applications**

- A. The provisions of the 2013 California Fire Code related to construction, as adopted and amended herein, shall not apply to any building or structure for which application for a building permit was made prior to January 1, 2014, except as may be found by the Chief to constitute a distinct hazard to life or property. Such buildings or structure shall be erected, constructed, enlarged, altered or repaired in accordance with the provisions of this Chapter in effect at the date of the application.
- B. All other applications shall be processed in accordance with the provisions of the 2013 California Fire Code, as adopted and amended herein.

SECTION 4. Section 17.12.110 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**17.12.110     Cross - References to the 2013 California Fire Code**

The provisions of this Chapter contain cross-references to the provisions of the 2013 California Fire Code in order to facilitate reference and comparison to those provisions.

SECTION 5. Section 17.12.120 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**17.12.120     Local Amendments to the 2013 California Fire Code**

The provisions of this Chapter shall constitute local amendments to the cross-referenced provisions of the 2013 California Fire Code and shall be deemed to replace the cross-referenced sections of the 2013 California Fire Code with the respective provisions set forth in this Chapter.

**SECTION 6.** Part 2 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**Part 2**  
**ADOPTION OF ADMINISTRATIVE PROVISIONS OF THE 2013 CALIFORNIA FIRE CODE**

**17.12.200     Adoption of Chapter 1 of the 2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapter 1 of the 2013 California Fire Code, including the Tables therein, are adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**17.12.210     Provisions of Chapter 1 of the 2013 California Fire Code Which are not Adopted or Incorporated By Reference**

The following provisions, including all subparts thereof, of Chapter 1 of the 2013 California Fire Code, are not adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the Fire Code of the City of San José: Sections 1.1.1, 1.1.8, 1.1.9, 1.1.10, 1.1.11, 1.01.1, 103, 104, 108 and 109.

**17.12.220     Change of Use or Occupancy (2013CFC Chapter 1 Section 102.3)**

Chapter 1 Section 102.3 of the California Fire Code is amended to add the following:

**102.3.1** An approved automatic sprinkler system shall be provided throughout buildings or structures when an automatic sprinkler system is required per the California Fire Code due to a change of use or occupancy.

**17.12.230     Authority to Inspect (2013 CFC Chapter 1 Section 106.1)**

Chapter 1 Section 106.1 of the California Fire Code is amended to read as follows:

**106.1 Inspection Authority.** The fire prevention bureau shall have authority to inspect buildings and premises as often as necessary, for the purpose of ascertaining and causing to be corrected, any conditions which could tend to cause fire or contribute to its spread, result in an unauthorized discharge of hazardous materials, or any violation of this code or any other law or standard affecting fire safety, life safety, or environmental safety.

**17.12.240     Types of Permits (2013 CFC Chapter 1 Section 105.1.2)**

Chapter 1 Section 105.1.2 of the California Fire Code is amended to read as follows:

**105.1.2 Types of permits.** There shall be two types of permits as follows:

1. **Operational permit.** An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Chapter 1, Section 105.6 for either:
  - 1.1. A prescribed period. If no period is prescribed, the permit shall be for one year.
  - 1.2. Until renewed or revoked.
2. **Construction permit.** A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Chapter 1, Section 105.7.

**17.12. 250     Amended Operational Permit Requirements (2013 CFC, Chapter 1 Section 105.6)**

The following subparts of Chapter 1 Section 105.6 of the 2013 California Fire Code are amended to read as follows:

- 105.6.9     Covered and open mall buildings:** An operational permit is required for:
1. The placement of kiosks, retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.
  2. The display of liquid-or gas-fired equipment in the mall.
  3. The use of open-flame or flame-producing equipment in the mall.
  4. The use of a covered mall as a place of assembly.
- 105.6.25     Lumberyards, woodworking and firewood storage:** An operational permit is required to store lumber in excess of 100,000 board feet (8,333 ft<sup>3</sup>/236 m<sup>3</sup>); or to store fire wood in excess of ten (10) cords; or to conduct woodworking operations involving mass production or involving more than one of each type of machine, or where machines are used continuously (as opposed to intermittently) or substantial products of sawdust may be a problem. See Chapter 28.
- 105.6.39     Repair garages and motor fuel-dispensing facilities:** An operational permit is required for operation of repair garages and automotive, marine and fleet motor fuel-dispensing facilities, including fueling with flammable or combustible liquids, liquefied petroleum gases, compressed natural gas, liquefied natural gas, or hydrogen.
- 105.6.42     Storage of tires, scrap tires and tire byproducts:** An operational permit is required to establish, conduct or maintain outdoor storage of tires, scrap tires and tire byproducts that exceeds 1,000 cubic feet (92 m<sup>3</sup>) of total volume of scrap tires and for indoor storage of tires and tire byproducts.

**105.6.43 Temporary membrane structures, tents and canopies:** An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet (19 m<sup>2</sup>), or a canopy in excess of 400 square feet (37 m<sup>2</sup>).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.
2. Deleted.

**17.12.260 Additional Operational Permit Requirements (2013 CFC Chapter 1 Section 105.6.47)**

Chapter 1 Section 105.6.47 of the 2013 California Fire Code is amended to add the following to the list of activities, operations, practices, or functions for which an operational permit is required:

**105.6.47.4 Battery System:** An operational permit is required to operate stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189 L).

**105.6.47.5 Day Care Facility:** An operational permit is required to operate any day care home or facility which provides day care for adults or children.

**105.6.47.6 High-Rise Buildings:** An operational permit is required to operate any high-rise building.

**105.6.47.7 Institutions:** An operational permit is required to operate any health facility as defined in Section 1250 of the California Health and Safety Code, with an occupant load of more than six (6) persons, or to operate any jail or facility where personal liberties of the occupants are restrained. See California Code of Regulations Title 24 Part 2.

**105.6.47.8 Multi-story building:** An operational permit is required to operate any building which is not a high-rise building, but has four or more floors. See Section 3.09 of Title 19 of the California Code of Regulations.

**105.6.47.9 Residential care facility:** An operational permit is required to operate any residential care or service facility, as described in the California Building Code, accommodating more than six (6) persons.

**17.12.270      Failure to Comply with Stop Work Order (2013 CFC, Chapter 1 Section 111.4)**

Section 111.4 of the 2013 California Fire Code is amended to read as follows:

**111.4            Failure to comply.** No person shall fail to comply after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition.

SECTION 7. Part 3 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**Part 3  
DEFINITIONS**

**17.12.300      Adoption of Chapter 2 of the 2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapter 2 of the 2013 California Fire Code, including the Tables therein, are adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**17.12.310      Definitions (2013 CFC Section 202)**

Section 202 of the 2013 California Fire Code is amended to modify the following defined terms to read as follows:

**CONTINUOUS GAS DETECTION SYSTEM.** A gas detection system where the analytical instrument is maintained in continuous operation and sampling is performed without interruption. Analysis is allowed to be performed on a cyclical basis at intervals not to exceed 5 minutes.

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

SECTION 8. Part 4 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**Part 4  
GENERAL PRECAUTIONS AGAINST FIRE, EMERGENCY PLANNING AND FIRE  
SERVICE FEATURES**

**17.12.400     Adoption of Chapters 3, 4 and 5 and Appendix Chapter 4 of the  
2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapters 3, 4 and 5 and Appendix Chapter 4 of the 2013 California Fire Code, including the Tables therein, are adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**17.12.410     Provisions of Chapter 3 of the 2013 California Fire Code Which are  
not Adopted or Incorporated By Reference**

The following provisions of Chapter 3 of the 2013 California Fire Code are not adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the Fire Code of the City of San José: Sections 311.5.2, 311.5.3, 311.5.4 and 311.5.5.

**17.12.420     Amendment to Section 404 of the 2013 California Fire Code to Add  
Provision Related to Emergency Plan and Hazardous Materials  
Management Plan Cabinets**

Section 404 of the 2013 California Fire Code is amended to add the following new subsection to be numbered and entitled as follows:

**404.8 Emergency Plan and Hazardous Materials Management Plan Cabinets.** In large commercial, industrial or residential complexes, the Chief may require the fire safety and evacuation plans and/or the Hazardous Materials Management Plan to be locked in approved cabinets in approved locations that are accessible to the Fire Department in the event of an emergency.

**17.12.430     Amendment of Sections 503.1 and 503.2.4, of the 2013 California  
Fire Code Related to Fire Apparatus Access Road**

Sections 503.1 and 503.2.4 of the 2013 California Fire Code are amended to read as follows:

**503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and California Fire Code Appendix D.

**503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall have a minimum inside turning radius of 30 feet and an outside turning radius of 50 feet or as otherwise determined by the Fire Code Official.

**17.12.440 Amendment of Section 504 of the 2013 California Fire Code to Add Provision Related to Access Control Devices**

Section 504 of the 2013 California Fire Code is amended to add a new subsection to be entitled and read as follows:

**504.5 Access Control Devices.** When access control devices including bars, grates, gates, electric or magnetic locks or similar devices which would inhibit rapid fire department emergency access to the building are installed, such devices shall be approved by the Chief. All access control devices shall be provided with an approved means for deactivation or unlocking by the Fire Department. Access control devices shall also comply with Chapter 10 for exiting.

**17.12.450 Amendment of Section 505.1 of the 2013 California Fire Code Related to Identification Numbers**

Section 505.1 of the 2013 California Fire Code is amended to be entitled and read as follows:

**505.1 Address Identification:** Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background. Subunits of any building or complex, not having individual addresses, shall be identified in a consistent manner, either numerically or alphabetically, using a logical sequence. Unit numbers or letters shall be affixed near the main entrance of each occupancy in such a position as to be plainly visible and legible. Lighted directory maps may be required at building complex entrances or other locations, as specified by the Fire Chief.

**17.12.460 Amendment of Section 507.5.1 of the 2013 California Fire Code Related to Fire Hydrants**

Section 507.5.1 of the 2013 California Fire Code is amended to read as follows:

**507.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Chief.

**Exception:** For Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system, the distance requirements may be modified by the Fire Code Official.

**SECTION 9.** Part 5 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**Part 5  
BUILDING SERVICES AND SYSTEMS, FIRE RESISTANCE RATED  
CONSTRUCTION AND INTERIOR FINISH, DECORATIVE MATERIALS AND  
FURNISHINGS**

**17.12.500     Adoption of Chapters 6, 7 and 8 of the 2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapters 6, 7 and 8 of the 2013 California Fire Code, including the Tables therein, are adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**17.12.510     Amendment of Section 608.6.1 of the 2013 California Fire Code  
Related to Ventilation of Stationary Storage Battery Rooms**

Section 608.6.1 of the 2013 California Fire Code, shall be amended to read as follows:

**608.6.1 Room Ventilation.** Ventilation shall be provided in accordance with the California Mechanical Code and the following:

1. For flooded lead acid, flooded Ni-Cd, and VRLA batteries, the ventilation system shall be designed to limit the maximum concentration of hydrogen to 1 percent (1%) of the total volume of the room; or
2. Continuous ventilation shall be provided at a rate of not less than 1 cubic foot per minute per square foot [(1 ft<sup>3</sup>/min/ft<sup>2</sup> or 0.0051 m<sup>3</sup>/(s-m<sup>2</sup>)] of the floor area of the room.

**Exception:** Deleted.

3. Failure of the ventilation system shall initiate a local alarm and transmit a signal to a constantly attended station and automatically disengage the charging system.

**SECTION 10.** Part 6 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**Part 6**  
**FIRE PROTECTION, SPRINKLER, ALARM DETECTION AND SMOKE CONTROL SYSTEMS**

**17.12.610      Adoption of Chapter 9 of the 2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapter 9 of the 2013 California Fire Code, including the Tables therein, is adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**17.12.620      Amendment of Section 903 Relating to Automatic Fire Sprinkler System Requirements**

**Findings**

The amendments set forth in this Part are reasonably necessary because of the following local geological, topographical and climatic conditions:

- I.      The City of San José is located within a very active seismic area. Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on both private fire protection systems and equipment. The limited and widely dispersed resources of the Fire Department could result in failure to meet and provide the fire protection and life safety needs of the community.
- II.     The local geographic, topographic and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the City of San José, and may cause disruptions in operation of private fire protection systems and equipment and delayed fire response time, allowing for further fire growth and spread.
- III.    This section adopts the latest standards currently listed by the State of California Fire Marshal's Office for automatic fire protection systems and includes references to the amendments to the standards made in the California Fire Code.
- IV.    The type of automatic fire sprinkler systems set forth in the amendment is a more restrictive standard which will better prevent fire damage which can result from local conditions.

## **Automatic Sprinkler Systems (2013 CFC 903)**

- A. Subsection 903.2 of the California Fire Code Section 903 is amended to read as:

**903.2 Where required.** Approved automatic sprinkler systems shall be provided in the locations described in the following:

1. Throughout existing buildings and structures where an increase is made to the floor area that results in the building exceeding 10,000 square feet.
2. Throughout existing buildings that are greater than 10,000 square feet wherein an increase in occupancy category is merited due to a change of the nature of the occupancy (as determined by Table 1604.A.5 of the California Building Code).
3. Throughout existing one- and two-family dwellings where an increase of over 500 square feet is made to the floor area that results in the building exceeding 3,600 square feet.
4. Throughout buildings and structures that are four or more stories in height, regardless of the floor area.
5. Throughout new buildings and structures that exceed 6,200 square feet.
6. Throughout new buildings and structures described in Sections 903.2.1 through 903.2.19.

- B. Subsection 903.2.8 of the California Fire Code Section 903 is amended by adding the following new subsection:

**903.2.8.1 Balconies and decks.** Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of buildings which have an automatic fire sprinkler system provided there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

- C. Subsection 903.2.18 of the California Fire Code Section 903 is deleted and replaced with the following:

**903.2.18 Group U private garages and carports accessory to R-3 occupancies.** Carports with habitable space above and attached garages, accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this Section. Residential fire sprinklers shall be connected

to and installed in accordance with an automatic residential fire sprinkler system that complies with NFPA 13D as amended by the City of San José. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, design to provide a minimum density of 0.05 gpm/ft<sup>2</sup> (2.04 mm/min) over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

- D. Subsection 903.3.1.3 of the California Fire Code Section 903 is amended to read as follows:

**903.3.1.3 NFPA 13D sprinkler systems.** Where allowed, automatic sprinkler systems in one- and two-family dwellings and townhouses shall be installed throughout in accordance with NFPA 13D as amended in the San José Fire Code adoption of Chapter 80 herein.

- E. Subsection 903.4 of the California Fire Code Section 903 is deleted and replaced with the following:

**903.4 Sprinkler system supervision and alarms.** All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, water-flow switches on all sprinkler systems and kitchen hood & duct fixed extinguishing systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area system serving fewer than 20 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pumps control valves that are sealed or locked in the open position.
5. Control valves to paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

8. Kitchen hood & duct fixed extinguishing systems located in buildings where a sprinkler monitoring system is not required.

F. Subsection 905.3 of the California Fire Code is amended to read as follows:

**905.3 Required installations.** Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.10.1 and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems are NOT allowed to be combined with automatic sprinkler systems. Standpipe Systems shall be Manual Wet as defined by NFPA 14-13 section 3.3.15.5.

Exception: Standpipe systems are not required in Group R-3 occupancies.

**17.12.630 Fire Protection Based on Special Detailed Requirements of Use and Occupancy (CFC Chapter 914)**

**Findings**

The amendments set forth in this Part are reasonably necessary because of the following local geological, topographical and climatic conditions:

- I. The City of San José is located within a very active seismic area. Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on both private fire protection systems and equipment. The limited and widely dispersed resources of the Fire Department could result in failure to meet and provide the fire protection and life safety needs of the community.
- II. The local geographic, topographic and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the City of San José, and may cause disruptions in operation of private fire protection systems and equipment and delayed fire response time, allowing for further fire growth and spread.
- III. If not amended, section 914.2, 914.3, 914.4, 914.6 of the California Fire Code would allow omission of fire sprinkler coverage in certain areas of covered malls, high-rise buildings, building with atriums, stages and platforms.
- IV. The requirement for total fire sprinkler coverage set forth in the amendment is a more restrictive standard which will better prevent fire damage which can result from local conditions.

**Covered Mall Buildings (CFC 914.2)**

A. Subsection 914.2.1 of the California Fire Code Section 914.2 is amended to read as follows:

**914.2.1 Automatic sprinkler system.** Covered and open mall buildings and buildings connected shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.1.1, which shall comply with the following:

1. The automatic sprinkler system shall be complete and operative throughout occupied space in the mall building prior to occupancy of any of the tenant spaces. Unoccupied tenant spaces shall be similarly protected unless provided with approved alternative protection.
2. Sprinkler protection for the mall shall be independent from that provided for tenant spaces or anchors.
3. Sprinkler protection for tenant spaces of an open mall building shall be independent from that provided for anchor buildings.
4. Sprinkler protection shall be provided beneath exterior circulation balconies located adjacent to an open mall.
5. Where tenant spaces are supplied by the same system, they shall be independently controlled.

**Exception:** Deleted.

#### **High-Rise Buildings (CFC 914.3)**

B. Subsection 914.3.1 of the California Fire Code Section 914.3 is amended to read as follows:

**914.3.1 Automatic sprinkler system.** Buildings and structures shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and a secondary water supply where required by Section 903.3.5.2. A sprinkler water-flow alarm-initiating device and a control valve with a supervisory signal-initiating device shall be provided at the lateral connection to the riser on each floor.

**Exception:** Deleted.

#### **Atriums (CFC 914.4)**

C. Subsection 914.4.1 of the California Fire Code Section 914.4 is amended to read as follows:

**914.4.1 Automatic sprinkler system.** An approved automatic sprinkler system shall be installed throughout the entire building.

**Exceptions:** Deleted.

**Stages (CFC 914.6)**

D. Subsection 914.6.1 of the California Fire Code Section 914.6 is amended to read as follows:

**914.6.1 Automatic sprinkler system.** Stages shall be equipped with an automatic fire-extinguishing system in accordance with section 903.3.1.1. Sprinklers shall be installed under the roof and gridiron and under all catwalks and galleries over the stage. Sprinklers shall be installed in dressing rooms, performer lounges, shops and storerooms accessory to such stages.

**Exceptions:** Deleted.

SECTION 11. Part 7 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**Part 7  
MEANS OF EGRESS**

**17.12.700 Adoption of Chapter 10 of the 2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapter 10 of the 2013 California Fire Code, including the Tables therein, is adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

SECTION 12. Part 8 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**Part 8  
SPECIAL OCCUPANCY PROVISIONS**

**17.12.800     Adoption of Chapters 20 Through 35 of the 2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapters 20 through 35 of the 2013 California Fire Code, including the Tables therein, are adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**17.12.810     Amendment of Section 3301.1 of the 2013 California Fire Code Relating to Fire Safety During Construction**

Section 1401.1 is renumbered to Section 3301.1 of the 2013 California Fire Code is amended to read as follows:

**3301.1 Scope.** This Chapter shall apply to structures in the course of construction, alteration, or demolition, including those in underground locations. Compliance with NFPA 241 is required for items not specifically addressed herein. Additional safeguards are required by local Chapter 17.82 of the San José Municipal Code.

SECTION 13. Section 17.12.820 of Title 17 of the San José Municipal Code is deleted in its entirety.

SECTION 14. Part 9 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**Part 9  
PROVISIONS RELATED TO STORAGE, HANDLING AND USE OF REGULATED MATERIALS**

**17.12.900     Adoption of Chapters 50 through 67 of the 2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapters 50 through 67 of the 2013 California Fire Code, including the Tables therein, are adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**17.12.910      Addition of Section 5003.1.5 Secondary Containment Requirements, Amendment of Section 5003.9.8 Separation of Incompatible Materials to the 2013 California Fire Code.**

A. Section 5003.1 of the 2013 California Fire Code is amended to add a new subsection, 5003.1.5 to be entitled and read as follows:

**5003.1.5      Secondary Containment Requirements.** A containment system shall be required for all hazardous materials, which are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger people, property or the environment. Construction shall be substantial, capable of safely and securely containing a sudden release without discharge. Design criteria shall be performance oriented and constructed of physically and chemically compatible materials to resist degradation and provide structural and functional integrity for a period of time reasonably necessary to ensure detection, mitigation, and repair of the primary system. Monitoring of the secondary containment shall be in accordance with Section 5004.2.2.5.

B. Section 5003.9.8 of the 2013 California Fire Code is amended to read as follows:

**5003.9.8 Separation of Incompatible Materials.** Incompatible materials in storage and storage of materials that are incompatible with materials in use shall be separated when the stored materials are in containers having a capacity of more than 5 pounds (2 kg) or 0.5 gallons (2L), separation shall be accomplished by:

1. Segregating incompatible materials in storage by a distance of not less than 20 feet (6096 mm) and in an independent containment system.
2. Isolating incompatible materials in storage by a noncombustible partition extending not less than 18 inches (457 mm) above and to the sides of the stored material.
3. Storing liquid and solid materials in hazardous materials storage cabinets.
4. Storing compressed gas in cabinets or exhausted enclosures in accordance with Sections 5003.8.5 and 5003.8.6. Materials that are incompatible shall not be stored within the same cabinet or exhausted enclosure.

**17.12.920      Amendment of Section 5601 of the 2013 California Fire Code Relating to Explosives and Fireworks.**

C. Section 5601.2 of the 2013 California Fire Code is amended to add a new subsection 5601.2 to be entitled and read as follows:

**5601.2 Bond for permit to use explosive materials.** In addition to all other requirements, the applicant for a permit to use explosive material shall furnish a bond or certificate of insurance in the amount deemed adequate by the Chief and the City Risk Manager for payment of damages which could be caused either to a person or persons or to property by reason of the permitted activity and arising from acts of the permittee, agents, employees, or subcontractors.

**17.12.930 Amendment of Section 5608.2 of the 2013 California Fire Code Relating to Fireworks, including Pyrotechnic Special Effects**

D. Section 5608.2 of the 2013 California Fire Code is amended to add a new subsection 5608.2, to be entitled and read as follows:

**5608.2 Bond for public display of fireworks.** In addition to all other requirements, the applicant for a permit to use fireworks, including proximate audience displays and pyrotechnic special effects, shall furnish a bond or certification of insurance in the amount deemed adequate by the Chief and the City Risk Manager for payment of damages which could be caused either to a person or persons or to property by reason of the permitted activity and arising from acts of the permittee, agents, employees, or subcontractors.

**17.12.940 Sale and Use of Fireworks**

E. Section 5608 of the 2013 California Fire Code is amended to add a new subsection 5608.3, to be entitled and read as follows:

**5608.3 Sale and use of fireworks.** Except where otherwise expressly provided in this Code, it shall be unlawful for any person to possess, store, offer for sale, expose for sale, sell at retail, or use or explode any fireworks.

**17.12.950 Amendment of Section 5704.2.4 of the 2013 California Fire Code Related to Smoking in Hazardous Materials Areas**

F. Section 3404.2.4 5704.2.4 of the 2013 California Fire Code is amended to read as follows:

**5704.2.4 Sources of Ignition, Exception.** Areas designated as hot work areas, and areas where hot work permits have been issued in accordance with this Code.

**17.12.960      Amendment of Section 5704.2.7.5.8 of the 2013 California Fire Code Related to Overfill Protection for Above Ground Tanks**

G. Section 5704.2.7.5.8 of the 2013 California Fire Code is amended to read as follows:

**5704.2.7.5.8 Overfill prevention, Exception:** Outside above-ground tanks with a capacity of 500 gallons or less.

**17.12.970      Amendment of Section 5704.2.11 of the 2013 California Fire Code Related to Installation of Underground Storage Tanks**

H. Section 5704.2.11 of the 2013 California Fire Code is amended to read as follows:

**5704.2.11 Underground tanks.** Underground storage tanks shall be installed according to manufacturer's recommendations. Underground storage of flammable and combustible liquids in tanks shall comply with Section 5704.2 and Sections 5704.2.11.1 through 5704.2.11.5.2.

**17.12.980      Amendment of Section 5705.3.2 of the 2013 California Fire Code Related to Bonding of Vessels**

I. Section 5705.3.2 of the 2013 California Fire Code is amended to read as follows

**5705.3.2 Bonding of vessels.** Where differences of potential could be created, vessels containing Class I or Class II liquids or liquids handled at or above their flash points shall be electrically connected by bond wires, ground cables, piping or similar means to a static grounding system to maintain equipment at the same electrical potential to prevent sparking.

SECTION 15. Part 10 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to read as follows:

**Part 10  
REFERENCED STANDARDS**

**17.12.1000      Adoption of Chapter 80 of the 2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapter 80 of the 2013 California Fire Code, including the Tables therein, are adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**17.12.1010 Amendment to Chapter 80 of the 2013 California Fire Code to Add Reference to Standards for Hood and Duct Systems**

The following standards are added to those referenced in Chapter 80 of the California Fire Code: NFPA 96-11 "Standard for Ventilation Control and Fire Protection of Commercial Cooking Operation".

**17.12.1020 Amendment of Chapter 80 of the 2013 California Fire Code Sprinkler System Standard for One and Two Family Dwellings (NFPA 13D-13)**

The following sections of NFPA 13D-13 edition, Sprinkler Standards for one and two family dwellings are amended to read as follows:

**Section 11.2.1.1** The system shall be hydrostatically tested for leakage at 200 psi for a duration of 2 hours.

**Section 11.2.1.2** Deleted.

**Section 6.2.3.2** Deleted

**Section 7.5** is amended by adding the following new subsection:

**7.5.10** Spare sprinklers shall be provided as required by NFPA 13-13 Section 6.2.9.

**Section 7.6** Local waterflow alarms shall be provided on all sprinkler systems in homes.

**Section 10.4.9** Deleted.

**Section 8.3.4** Deleted

**Section 8.3.5** Deleted

**Section 8.3.6** Deleted

**Section 8.3** is further amended by adding a new subsection to read as follows:

**Section 8.3.10**

Pilot sprinklers shall be provided in the attics and between floors where floor/ceiling assemblies consist of open web wood joists or trusses. Pilot sprinklers shall be intermediate temperature rated, K=4.2, quick response. Pilot sprinklers shall be located within twelve inches of the structure and/or at the apex of each ridgeline when applicable. A sprinkler is required where the ridgeline and hips converge. Sprinklers shall be spaced at maximum thirty feet centers (maximum fifteen feet from outside

walls) and shall be located at all heat and fire sources including furnaces, hot water heaters, above kitchen ranges, etc.

**17.12.1030      Amendment of Chapter 80 of the 2013 California Fire Code Sprinkler System Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies (NFPA 13R-13)**

The following sections of NFPA 13R-13 edition, Sprinkler Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies are amended to read as follows:

**Section 6.6.6** Pilot sprinklers shall be provided in the attics and between floors where floor/ceiling assemblies consist of open web wood joists or trusses. Pilot sprinklers shall be intermediate temperature rated, K=4.2, quick response. Pilot sprinklers shall be located within twelve inches of the structure and/or at the apex of each ridgeline when applicable. A sprinkler is required where the ridgeline and hips converge. Sprinklers shall be spaced at maximum thirty feet centers (maximum fifteen feet from outside walls) and shall be located at all heat and fire sources including furnaces, hot water heaters, above kitchen ranges, etc.

**Section 6.6.7** Deleted

**Section 6.16.4** Deleted

**Section 7.5** Deleted

**Section 10.2.2.1** The system shall be hydrostatically tested for leakage at 200 psi for a duration of 2 hours.

**Section 10.2.2.2** Deleted.

**17.12.1040      Amendment of Chapter 80 Sprinkler System Installation Standards (NFPA 13-13).**

The following sections of NFPA 13-13 edition, Sprinkler System Installation Standards, are amended to read as follows:

Section 7.3.2 is amended to read as follows:

**7.3.2.7** Where steel pipe is used in preaction and dry pipe systems, piping shall be limited to internally galvanized steel.

**Exception:** Non-galvanized fittings shall be permitted.

Section 8.4.3 is deleted in its entirety.

Section 8.15.11 is amended to add a new subsection to read as follows:

**8.15.11.5** Fire sprinkler system risers or other controls shall not be located in electrical rooms.

Section 8.16.1.1.1.1 is amended as follows:

**8.16.1.1.1.1** Each floor and basement level of a building shall be provided with a floor control valve in an approved location.

Section 11.2.3.2 is amended as follows:

**11.2.3.2.8** For light hazard areas designated for office use, one-inch plugged, threaded outlets shall be provided at each head. The minimum flow shall be 22.5 gpm. The outlet K-factor shall be 5.07 (one-5.6 K-factor head with 10 feet of one-inch pipe, two 90 degree elbows connected to a common branch line outlet by one foot of one inch pipe).

Extended coverage sprinkler heads shall not be used. Only standard one-half-inch standard spray sprinklers shall be used.

**11.2.3.2.9** When a fire sprinkler system is required in buildings of undetermined use with floor to structure height of fourteen feet or less, they shall be installed for an ordinary hazard occupancy with a minimum design density of not less than 0.2 gpm/square feet, with a minimum design area of three thousand (3,000) square feet. The system demand, including 250 gpm for hoses, shall be designed at a minimum of ten percent below the available water supply. One-inch plugged, threaded outlets shall be provided at each head. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or occupant to upgrade the system.

**11.2.3.2.10** Buildings of undetermined use with floor to structure height greater than fourteen feet (14'), a fire sprinkler system shall be installed for an extra hazard occupancy with a minimum design density of 0.33 gpm/square feet with a minimum design area of three thousand (3,000) square feet. The system demand including 500 gpm for hoses shall be designed at a minimum of ten percent below the available water supply. One-inch plugged, threaded outlets shall be provided at each head. In addition, a four-inch grooved capped outlet shall be provided on the riser prior to any system control valve. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or occupant to upgrade the system.

**11.2.3.2.3** Deleted.

- 23.4.1.6** The safety margin for hydraulic calculations shall be 10% of the water supply data.
- 23.4.4.12** The maximum water velocity in the hydraulic calculations shall be twenty feet per second (20 ft/sec) when designing to the criteria as set forth herein as sections 11.2.3.2.8, 11.2.3.2.9, and 11.2.3.2.10.
- 17.12.1050** **Amendment of Chapter 80 Standard for Installation of Standpipe and Hose Systems (NFPA 14-13)**

The following sections of NFPA 14-13 edition, Standard for Installation of Standpipe and Hose Systems are amended as follows:

- 5.2.4** For Manual Wet Systems, the water supply shall be made prior to the sprinkler system water flow indicator. The connection shall be equipped with a monitored valve, flow switch, check valve, and shall be restricted to a three-eighth inch (3/8") orifice or less.

Section 5.5 is amended to add the following:

- 5.5.1.5** Each hose outlet shall be provided with a gauge configured as depicted in 2013 NFPA 14, Figure 7.11.2.1 for system riser drain connections, regardless of the type of standpipe system installed.

- 17.12.1060** **Amendment of Chapter 80 Standard for Installation of Centrifugal Fire Pumps (NFPA 20-13)**

The following sections of NFPA 20-13 edition are amended as follows:

- 4.12.1** All exterior fire pumps shall be installed in a dedicated building (pump house).
- 5.15.9.1** Positive supply pressure shall be maintained through alarms that shall be arranged for audio and visual annunciation at the FACP and in the fire pump room if the water supply drops below 5 psi.
- 4.16** Where provided, the suction valve, discharge valve, jockey pump valves controller valves, and isolation valves on the backflow prevention device or assembly shall be supervised open by the following methods:
- (1) Central station, proprietary or remote station signaling services through the FACP.
  - (2) Locking valves open.

**Exception:** The test outlet control valves shall be supervised closed.

**4.20.1** To facilitate flow testing, all fire pumps shall be equipped with both of the following:

1. **Test Header.** This device is connected to the discharge side of the pump and has a number of hose outlets (equal to the number required at 15 percent capacity ÷ 250 gpm). When testing the pump, the hose is connected to the outlets with water discharged in a safe location. Flow readings are usually taken from the end of the hose with a Pitot gauge.

2. **Flowmeter.** A special pipe is run from the discharge side of the pump back to the water supply (or to some other acceptable discharge point) with a flowmeter, control valve and check valve in the line. When testing the pump, the control valve is opened partially (with the pump already running) to achieve the 100 percent flow condition. The valve is opened more to achieve the 150 percent flow condition.

**10.4.2.4** Provide sufficient space in pump room so that there is adequate workspace on all sides of the pump and associated equipment.

**17.12.1070** **Amendment of Chapter 80 of the 2013 California Fire Code Standard for Private Fire Service Mains (NFPA 24-13)**

Section 7.3 of NFPA 24-13 edition is amended to add the following subsections:

**7.3.8** Fire hydrants shall not be under the control of valves controlling fire sprinkler and/or standpipe systems.

**7.3.4.9** Fire hydrants shall not be subject to pressure supplied by way of a FDC.

**17.12.1080** **Amendment of Chapter 80 of the 2013 California Fire Code Standard for fire alarm systems (NFPA 72-13)**

Section 10.6.3 of NFPA 72-13 is amended to add the following:

**10.6.3.5** Where the engine-driven generator is not constantly attended, audible and visible alarms powered by a source other than the engine starting batteries and not exceeding 125 volts shall be provided at a point of constant attendance. These alarms shall indicate the following:

(a) Engine running (separate signal).

(b) The controller main switch has been turned to "off" or "manual" position (separate signal).

(c) Low fuel and trouble on the controller or engine (separate or common signals).

**17.12.1090 Amendment of Chapter 80 of the 2013 California Fire Code Installation Standard for Clean Agent Extinguishing Systems (NFPA 2001-12)**

Section 1-4 of NFPA 2001-12 edition is amended to add the following:

**1.4.2.5** Clean agent systems shall not be used in lieu of required fire sprinkler systems.

**17.12.1100 Amendment of Chapter 80 of the 2013 California Fire Code Installation Standard for Fire Protection Systems in Clean Rooms (NFPA 318-12)**

NFPA 318-12 edition, including appendices is hereby added to the list of recognized standards, as contained in Chapter 80 of the 2013 California Fire Code, with the following amendments:

Section 4.1.2.6 is amended to add the following:

**4.1.2.6.9** Approved inspection ports shall be provided in all internally fire sprinklered ducts for periodic inspection and maintenance.

**SECTION 16.** Part 11 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended as follows:

**Part 11**

**MARINAS AND CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS**

**17.12.1110 Adoption of Chapters 36 and 11 of the 2013 California Fire Code**

Except as otherwise provided in the Chapter, Chapters 36 and 11 of the 2013 California Fire Code, including the Tables therein, are adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**SECTION 17.** Part 12 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to be entitled and read as follows:

**Part 12**  
**MOTION PICTURE AND TELEVISION PRODUCTION STUDIO SOUND STAGES,  
APPROVED PRODUCTION FACILITIES AND PRODUCTION LOCATIONS AND  
REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS**

**17.12.1200     Adoption of Chapters 48 and 49 of the 2013 California Fire Code**

Except as otherwise provided for in this Chapter, Chapters 48 and 49 of the 2013 California Fire Code, including the Tables therein, are adopted and incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

**SECTION 18.** Part 13 of Chapter 17.12 of Title 17 of the San José Municipal Code is amended to be entitled, numbered and read as follows:

**Part 13**  
**ADOPTION OF APPENDICES OF THE 2013 CALIFORNIA FIRE CODE  
APPENDICES A THROUGH K**

**17.12.1300     Adoption of Specified Appendices**

Except as otherwise provided in this Chapter, the following appendices to the 2013 California Fire Code are adopted and incorporated by reference and made a part hereof as if fully set forth herein: Appendix B, Appendix C, Appendix D and Appendix K.

**17.12.1310     Appendices to the 2013 California Fire Code Which Are Not  
Adopted or Incorporated By Reference**

The following Appendices to the 2013 California Fire Code are not adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the Fire Code of the City of San José: Appendices A, E, F, G and H.

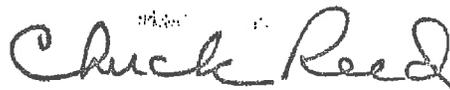
PASSED FOR PUBLICATION of title this 3rd day of December, 2013, by the following vote:

AYES: CAMPOS, CHU, HERRERA, KHAMIS, LICCARDO,  
OLIVERIO, ROCHA; REED.

NOES: KALRA, NGUYEN.

ABSENT: CONSTANT:

DISQUALIFIED: NONE.



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CHUCK REED  
Mayor

ATTEST:



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Toni J. Taber, CMC  
City Clerk