

BUILDING STANDARDS COMMISSION

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



January 23, 2014

Larry Francis, CBO
Senior Building Inspector/Plan Checker
City of Saratoga
13777 Fruitvale Avenue
Saratoga, CA 95070

RE: Ordinance #773, 774

Dear Mr. Francis:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 13, 2013.

Our review finds the submittal to contain two ordinances 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 modifications are accepted for filing and are 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: Larry Francis <lfrancis@saratoga.ca.us>
Sent: Wednesday, December 11, 2013 5:05 PM
To: OrdinanceFilings@DGS
Subject: City of Saratoga Resolution of findings 2013 CBSC
Attachments: City of Saratoga 2013 CBSC.pdf

RECEIVED
2013 DEC 13 P 2 35
CALIFORNIA BUILDING
STANDARDS COMMISSION

Please disregard the previous email it did not include the ordinance, thank you

California Building Standards Commission,
Please accept the City of Saratoga's Resolution of findings of fact for modifications to the 2013 California Building Code Standards.

If you have any questions please do not hesitate to call.
Thank you.

Larry Francis CBO
Senior Building Inspector/Plan Checker
City Of Saratoga
13777 Fruitvale Ave
Saratoga, California 95070
Phone/fax 408-868-1224
lfrancis@saratoga.ca.us
www.saratoga.ca.us

RESOLUTION NO. 13-079

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA
MAKING FINDINGS OF FACT REGARDING THE NEED FOR THE MODIFICATIONS TO
THE PROVISIONS OF THE 2013 CALIFORNIA BUILDING STANDARDS CODE MADE IN
THE SARATOGA CITY CODE**

WHEREAS, California Health and Safety Code Section 18938 makes certain provisions published in the California Building Standards Code pursuant to Health and Safety Code Section 17922 applicable to all occupancies throughout the state and effective one hundred eighty days after publication by the California Building Standards Commission ("Commission"), or at a later date established by the Commission; and

WHEREAS, Health and Safety Code Section 17958 permits cities to amend the requirements of the California Building Standards Code in accordance with Health and Safety Code Sections 17958.5 and 17958.7; and

WHEREAS, Health and Safety Code Section 17958.5 permits cities in adopting provisions of the California Building Standards Code to make such changes in such provisions as the city determines, pursuant to Health and Safety Code Section 17958.7, are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that a city, before making changes pursuant to Health and Safety Code Section 17958.5, must make an express finding that such changes are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, under Health and Safety Code Section 17958.7, changes pursuant to Health and Safety Code Section 17958.5 may not become effective until the required findings and the changes have been filed with the California Building Standards Commission; and

WHEREAS, Government Code Section 50022.2 permits a city to enact ordinances that adopt codes or statutes, including codes of the State of California, by reference; and

WHEREAS, the City Council of the City of Saratoga ("City Council") intends to adopt an ordinance adopting by reference certain provisions of the California Building Standards Code and making changes to certain of those provisions pursuant to Health and Safety Code Section 17958.5 ("Building Regulations Adoption Ordinance"); and

WHEREAS, the City Council has reviewed Attachment 1, which sets forth the reasons for the proposed changes to the California Building Standards Code contained in the Building Regulations Adoption Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby declare and find that the changes to the provisions of the California Building Standards Code set forth in the Building Regulations Adoption Ordinance are reasonably necessary because of local climatic, geological, or topographical conditions set forth in Attachment 1 in accordance with Health and Safety Code Section 17958.7; and

BE IT FURTHER RESOLVED that a copy of this Resolution, including Attachment 1,

shall be filed with the California Building Standards Commission in accordance with Health and Safety Code Section 17958.7.

PASSED AND ADOPTED by the City Council of the City of Saratoga at a regular meeting of the Saratoga City Council held on the 4th day of December 2013 by the following vote:

AYES: Mayor Emily Lo, Vice Mayor Howard Miller, Council Member Manny Cappello, Chuck Page, Jill Hunter

NOES: None

ABSENT: None

ABSTAIN: None



Emily Lo, Mayor

ATTEST:

Crystal Bothelio
Crystal Bothelio, City Clerk

DATE: 12/9/2013

ATTACHMENT 1

FINDINGS REGARDING THE NEED FOR AMENDMENTS TO PROVISIONS IN THE 2013 CALIFORNIA RESIDENTIAL BUILDING CODE TO BE ADOPTED BY REFERENCE IN THE CITY CODE OF THE CITY OF SARATOGA

The City of Saratoga makes the following findings regarding the need for amending the 2013 California Residential Building Code:

FINDING 1: CLIMATIC CONDITIONS: The City of Saratoga experiences low humidity, high winds, and warm temperatures during the summer months creating conditions that are particularly conducive to the ignition and spread of grass, brush, and structure fires.

FINDING 2: TOPOGRAPHICAL CONDITIONS: The remoteness and steepness of hillside areas in the City along with long, narrow roadways significantly impact the ability of emergency responders to extinguish or control wildland or structure fires.

The landscape of Saratoga also includes steep slopes susceptible to erosion, especially during the rainy season. Areas of critically expansive soil and other unstable soil conditions create a need for soil retention and the diversion or increased flow of surface waters, particularly on steep slopes.

FINDING 3: SEISMIC CONDITIONS: The City of Saratoga’s dense population is located in an area of high seismic activity, as indicated by the United States Geological Survey and the California Division of Mines and Geology. Recent earthquake activities, including the 1989 Loma Prieta earthquake, have indicated that the lack of adequate design and detailing endangered building occupants and the occupants of nearby structures. The City’s adjacency to active earthquake faults also means that building work must be completed in a timely fashion to minimize the danger to the public health, safety, and welfare.

The table below describes the City of Saratoga’s amendments to specific provisions of the 2013 California Residential Building Code and states which of the findings above and other conditions make the amendment reasonably necessary.

<u>Amended Sections of the 2013 CA Residential Building Code</u>	<u>Applicable Section of Saratoga Building Code Ordinance</u>	<u>Explanation</u>	<u>Findings</u>
R313.1	16-18.025(a)	Amends the 2013 CA Residential Building Codes provisions for townhouse automatic fire sprinkler systems	Finding Nos. 1 and 2. In order to minimize the risks to persons and property due to potential response delays and compromised fire suppression capabilities, mitigation measures such as automatic sprinkler systems are necessary. The ability of automatic sprinklers to get water on

			a fire early also reduces the fire flow demand and the need for multiple hydrants.
R313.2	16-18.025(b)	Amends the 2013 CA Residential Building Codes provisions for one and two family dwellings automatic fire sprinkler systems	Findings Nos. 1 and 2. In order to minimize the risks to persons and property due to potential response delays and compromised fire suppression capabilities, mitigation measures such as automatic sprinkler systems are necessary. The ability of automatic sprinklers to get water on a fire early also reduces the fire flow demand and the need for multiple hydrants.
R327.7.9	16-18.030(a)	Amends the 2013 CA Residential Building Code regarding the underside of appendages	Finding No. 1. The increased risk of fire in the City of Saratoga makes it necessary to amend this section to make it mandatory.
R327.10.3.2	16-18.030(b)	Deletes Section R327.10.3.2 of the Residential Building Code regarding accessory structures	This section is unnecessary, as the requirements are already specified in CBSC 701.A.3.
R327.10.4	16-18.030(c)	Amends the 2013 CA Residential Building Code regarding accessory structures	Finding No. 1. The increased risk of fire in the City of Saratoga makes it necessary to amend this section to make it mandatory.
R403.1.3	16-18.035(a)	Amends the 2013 CA Residential Building Code regarding plain concrete.	<p>Finding No. 3. This proposed amendment to the CRC is made to be consistent with Tri Chapter Uniform Code Committee amendment 3 that modifies the plain concrete provisions in CBC Section 1908.1,8 and American Concrete Institute 318 Section 22.10.1.</p> <p>This proposed amendment addresses the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.</p>

R602.10.2.1 and Table	16-18.040(a)	Amends the 2013 CA Residential Building	Finding No. 3. The proposed amendment addresses the problem of
R602.10.1.2(2)		Code regarding Seismic Design Categories D ₀ , D ₁ , and D ₂	poor performance of gypsum wallboard and Portland cement plaster as wall bracing materials in high seismic areas. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of these bracing materials that were observed in 1994 Northridge earthquake.
R902.1.4.1	16-18.045(a)	A new subsection has been added to the 2013 CA Residential Building Code to retain the Saratoga Code's provisions for roof coverings.	Finding Nos. 1 and 2. In order to minimize the risks to persons and property due to potential response delays and compromised fire suppression capabilities, mitigation measures such as the installation of fire-retardant Class A roofing are necessary.
R902.1.3	16-18.045(b)	Amends the 2013 CA Residential Building Code to regarding roof coverings.	Finding Nos. 1 and 2. In order to minimize the risks to persons and property due to potential response delays and compromised fire suppression capabilities, mitigation measures such as the installation of fire-retardant Class A roofing are necessary.

**FINDINGS REGARDING THE NEED FOR AMENDMENTS TO
PROVISIONS IN THE 2013 CALIFORNIA BUILDING CODE
TO BE ADOPTED BY REFERENCE IN THE CITY CODE OF THE CITY OF
SARATOGA**

The City of Saratoga makes the following findings regarding the need for amending the 2013 California Building Code:

FINDING 1: CLIMATIC CONDITIONS: The City of Saratoga experiences low humidity, high winds, and warm temperatures during the summer months creating conditions are particularly conducive to the ignition and spread of grass, brush, and structure fires.

FINDING 2: TOPOGRAPHICAL CONDITIONS: The remoteness and steepness of hillside areas in the City along with long, narrow roadways significantly impact the ability of emergency responders to extinguish or control wildland or structure fires.

The landscape of Saratoga also includes steep slopes susceptible to erosion, especially during the rainy season. Areas of critically expansive soil and other unstable soil conditions create a need for soil retention and the diversion or increased flow of surface waters, particularly on steep slopes.

FINDING 3: SEISMIC CONDITIONS: The City of Saratoga's dense population is located in an area of high seismic activity, as indicated by the United States Geological Survey and the California Division of Mines and Geology. Recent earthquake activities, including the 1989 Loma Prieta earthquake, have indicated that the lack of adequate design and detailing endangered building occupants and the occupants of nearby structures. The City's adjacency to active earthquake faults also means that building work must be completed in a timely fashion to minimize the danger to the public health, safety, and welfare.

The table below describes the City of Saratoga's amendments to specific provisions of the 2013 California Building Code and states which of the findings above and other conditions make the amendment reasonably necessary.

<u>Amended Sections of the 2013 CA Building Code</u>	<u>Applicable Section of Appendix A to Ordinance</u>	<u>Explanation</u>	<u>Findings</u>
107.5	16-15.025 (a)	Amends the 2013 CA Building Code section regarding retention of plans.	Finding No. 3. The City of Saratoga is adjacent to active earthquake faults capable of producing substantial seismic events. It is necessary for one set of plans to be retained on the work site at all times so that detailed inspections to ensure compliance with seismic standards can be carried out. This provision is identical to the provisions of the 2010 Saratoga Building Code, so no new findings are necessary.

105.5	16.15-030(a)	Amends the 2013 CA Building Code section regarding expiration of permits.	Finding No. 3. Given the City of Saratoga's adjacency to active earthquake faults capable of producing substantial seismic events, building work must be completed in a timely fashion to minimize the danger to the public health, safety, and welfare. This provision is identical to the provisions of the 2010 Saratoga Building Code, so no new findings
109.2.1	16.15-040(a)	Adds a new subsection to the 2013 CA Building Code to make it clear the city can prescribe reasonable fees to defray the cost of regulation. Adds provisions for permit, investigation, plan review, and other additional fees.	The City of Saratoga may prescribe fees to defray the cost of enforcement of rules and regulations promulgated by the Department of Housing and Community Development under the terms of Sec. 109.2 of the 2013 CA Building Code. These fees will be set by the City Council of Saratoga to ensure they are reasonably necessary given the cost of regulation to the City. This provision is identical to the provisions of the 2010 Saratoga Building Code, so no new findings are necessary.
1505.1.4.1	16.15-045(b)	Amends the 2013 CA Building Code to retain the Saratoga Code's provisions for roof coverings.	Finding Nos. 1 and 2. In order to minimize the risks to persons and property due to potential response delays and compromised fire suppression capabilities, mitigation measures such as the installation of fire-retardant Class A roofing are necessary.
1505.1.3	16.15-045(a)	Amends the 2013 CA Building Code section regarding roof coverings.	Finding Nos. 1 and 2. In order to minimize the risks to persons and property due to potential response delays and compromised fire suppression capabilities, mitigation measures such as the installation of fire-retardant Class A roofing are necessary.
707A.8	16-15.050(a)	Amends the 2013 CA Building Code regarding exterior covering.	Finding No. 1. The increased risk of fire in the City of Saratoga makes it necessary to amend this section to make it mandatory.
710A.3.2	16-15.055(a)	Deletes Section 710A.3.2 of the 2013 CA Building Code regarding accessory structures	This section is unnecessary, as the requirements are already specified in CBSC 701.A.3.

710A.4	16-15.055(b)	Amends the 2013 CA Building Code regarding accessory structures	Finding No. 1. The increased risk of fire in the City of Saratoga makes it necessary to amend this section to make it mandatory.
903.2	16-15.060(a)	amends the building code regarding fire sprinklers.	Amendment to be consistent with Fire District amendments

**FINDINGS REGARDING THE NEED FOR AMENDMENTS TO
PROVISIONS IN THE 2013 CALIFORNIA FIRE CODE
TO BE ADOPTED BY REFERENCE IN THE CITY CODE OF THE CITY
OF SARATOGA**

The City of Saratoga makes the following findings regarding the need to amend the 2013 California Fire Code:

Finding No. 1 – Climatic Conditions: The City of Saratoga experiences low humidity, high winds, and warm temperatures during the summer months creating conditions which are particularly conducive to the ignition and spread of grass, brush, and structure fires.

Finding No. 2 – Topographical Conditions: The remoteness and steepness of hillside areas in the City along with long, narrow roadways significantly impact the ability of emergency responders to extinguish or control wildland or structure fires.

Finding No. 3 – Seismic Conditions: The City of Saratoga is situated adjacent to active earthquake faults capable of producing substantial seismic events. Should a significant seismic event occur, uncontrolled hazardous materials releases and fires could pose the greatest threat to the largest number of people. Since the City is divided by a freeway and highway, a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more roadways be blocked or damaged due to bridge collapse or debris from falling structures. Additionally, fire suppression capabilities will be severely limited should the water system be extensively damaged during the seismic event.

Therefore, in order to minimize the risks to persons and property due to potential response delays and compromised fire suppression capabilities, mitigation measures are necessary such as but not limited to; automatic fire suppression systems, controls for hazardous materials, safety provisions in buildings for firefighters and additional fire hydrants.

Additions and deletions to the 2013 California Fire Code are hereby determined to be reasonably necessary based on the above findings and apply to following amended, added, or deleted sections:

Section 16-20.025 – Establishes districts to which the limits on storage of flammable liquids in Sections 5704.2.9.6.1 and 5706.2.4.4 of the 2013 California Fire Code apply.

Section 16-20.030 – Establishes districts to which the limits on storage of flammable cryogenic fluids in Section 5806.2 of the 2013 California Fire Code applies.

Section 16-20.040 – Establishes districts to which the limits on storage of liquefied petroleum gas in Section 6104.2 of the 2013 California Fire Code applies.

Section 16-20.040 – Amends Chapter 1 of the 2013 California Fire Code by adding Sections [A]105.1.4, [A]105.1.5, [A]105.6.48, [A]105.6.49, [A]106.5 and amending Section 109.4.

Section 16-20.060 – Amends Chapter 2 of the 2013 California Fire Code by amending the definition for “Continuous Gas Detection System.”

Section 16-20.070 -- Amends Chapter 3 of the 2013 California Fire Code by amending Section 311.1 and adding Section 316.7.

Section 16-20.090 – Amends Chapter 5 of the 2013 California Fire Code by amending Sections 503.1 and 503.2.1, and adding Sections 504.5 and 510.1.1.

Section 16-20.100 – Amends Chapter 6 of the 2013 California Fire Code by adding Sections 605.12 and 608.6.4.

Section 16-20.110 – Amends Chapter 8 of the 2013 California Fire Code by amending Section 806.1.1.

Section 16-20.120 – Amends Chapter 9 of the 2013 California Fire Code by amending Section 903.2.

Section 16-20.130 – Amends Chapter 28 of the 2013 California Fire Code by adding Section 2803.8.

Section 16-20.140 – Amends Chapter 33 of the 2013 California Fire Code by adding Sections 3304.8 and 3311.1.1, and amending Section 3311.1.

Section 16-20.150 – Amends Chapter 49 of the 2013 California Fire Code by amending Sections 4902, 4906.2, 4907.1, 4907.2, and adding Sections 4908, 4909, and 4910.

Section 16-20.160 – Amends Chapter 50 of the 2013 California Fire Code by adding Section 5003.9.11.

Section 16-20.170 – Amends Chapter 56 of the 2013 California Fire Code by not adopting Chapter 56 except for Sections 5601.1 (adopted and amended), 5601.2 (added), 5601.3 (added), 5601.4 (added), and 5601.5 – 5601.5.3.2.3 (added).

Section 16-20.180 – Amends Chapter 57 of the 2013 California Fire Code by amending Section 5704.2.7.5.8 and adding Section 5704.2.7.5.9.

**FINDINGS REGARDING THE NEED FOR AMENDMENTS TO
PROVISIONS IN THE 2013 CALIFORNIA MECHANICAL CODE
TO BE ADOPTED BY REFERENCE IN THE CITY CODE OF THE CITY
OF SARATOGA**

No findings are necessary because the 2013 California Mechanical Code is being adopted without modification.

**FINDINGS REGARDING THE NEED FOR AMENDMENTS TO
PROVISIONS IN THE 2013 CALIFORNIA ELECTRICAL CODE
TO BE ADOPTED BY REFERENCE IN THE CITY CODE OF THE CITY
OF SARATOGA**

No findings are necessary because the 2013 California Electrical Code is being adopted without modification.

**FINDINGS REGARDING THE NEED FOR AMENDMENTS TO
PROVISIONS IN THE 2013 CALIFORNIA PLUMBING CODE
TO BE ADOPTED BY REFERENCE IN THE CITY CODE OF THE CITY OF
SARATOGA**

No findings are necessary because the 2013 California Plumbing Code is being adopted without modification.

**FINDINGS REGARDING THE NEED FOR AMENDMENTS TO
PROVISIONS IN THE 2013 CALIFORNIA GREEN BUILDING STANDARDS
CODE TO BE ADOPTED BY REFERENCE IN THE CITY CODE OF THE CITY OF
SARATOGA**

No findings are necessary because the 2013 California Green Building Standards Code is being adopted without modification.

**FINDINGS REGARDING THE NEED FOR AMENDMENTS TO
PROVISIONS IN THE 2013 CALIFORNIA ENERGY CODE TO BE ADOPTED BY
REFERENCE IN THE CITY CODE OF THE CITY OF SARATOGA**

No findings are necessary because the 2013 California Energy Code is being adopted without modification.

Ordinance No. 310

An Ordinance Adopting the 2013 California Building , Residential Building, Electrical, Mechanical, Plumbing, Fire, Energy, and Green Building Standards Codes with Modifications for Local Conditions and Making Certain Other Amendments to Chapter 16 (Building Regulations) of the City Code

THE CITY COUNCIL OF THE CITY OF SARATOGA DOES ORDAIN AS
FOLLOWS:

Section 1. Findings.

The City Council finds and declares as follows:

- A. The State of California has adopted the 2013 California Building Standards Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2, based upon the 2012 International Building Code as published by the International Code Council); the 2013 California Residential Building Code (California Code of Regulations, Title 24, Part 2.5, based upon the 2012 International Residential Code as published by the International Code Council); the 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3, based on the 2011 National Electrical Code as published by the National Fire Protection Association); the 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4, based on the American National Standard 2012 Uniform Mechanical Code); the 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5, based on the American National Standard 2012 Uniform Plumbing Code); the 2013 California Energy code (California Code of Regulations, Title 24, Part 6); the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9, based on the 2012 International Fire Code as published by the International Code Council); and the 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11). These Codes shall hereinafter be referred to collectively as the "Building Codes."
- B. On November 20, 2013, pursuant to California Government Code Section 50022.3, the City Council of Saratoga conducted a first reading of the title of the ordinance adopting the Building Codes and of the codes to be adopted thereby and scheduled a public hearing on the adoption of the Building Codes, to be held December 4, 2013.
- C. On November 19, 2013, pursuant to California Government Code Section 50022.6, at least one copy of the primary codes certified as true copies by the legislative clerk were filed with the legislative clerk for public inspection.

- D. On November 20, 2013, pursuant to California Government Code Sections 50022.3 and 6066, a notice was published in a newspaper of general circulation stating the time and place of the December 4, 2013, public hearing and including a description the legislative body deemed sufficient to give notice of the purpose and subject matter of said ordinance. The notice informed the public that copies of the primary codes considered for adoption were on file with the clerk of the legislative body and open for public inspection.
- E. On November 27, 2013, pursuant to California Government Code Sections 50022.3 and 6066, a second notice identical to the first was filed in a newspaper of general circulation.
- F. On December 4, 2013, pursuant to California Government Code Section 50022.4, a public hearing was held. Following public testimony and consideration, the City Council of Saratoga found that adoption of the Building Codes was in the public interest. Except as to the additions, deletions, and amendments hereinafter noted, the Building Codes are hereby adopted and made a part hereof, the same as if fully set forth in this Article, and shall be the Building Regulations of the City.
- G. Additions, deletions, and amendments similar to those adopted in the City of Saratoga's 2010 Building Regulations were and are deemed reasonably necessary because of local climatic, geological, or topographical conditions pursuant to Government Code Section 17958.5. Express findings that these modifications to the Building Code were reasonably necessary were filed upon the adoption of the City of Saratoga's 2010 Building Regulations with the California Building Standards Commission in accordance with California Health and Safety Code Section 17958.7 and are available as a public record.
- H. The new additions, deletions, and amendments hereinafter noted are deemed reasonably necessary because of local climatic, geological, or topographical conditions pursuant to Government Code Section 17958.5. Express findings that these modifications to the Building Code are reasonably necessary will be filed with the California Building Standards Commission in accordance with California Health and Safety Code Section 17958.7 before this ordinance takes effect.
- I. While the ordinance codified in this Article is in force, a true copy of the Building Codes shall be kept for public inspection in the office of the Building Official and a reasonable supply of the Building Code shall be available for public purchase in the office of the City Clerk in accordance with Government Code Section 50022.6.

Section 2. Adoption.

Article 16-15 of the Saratoga City Code concerning the Building Code is hereby deleted in its entirety and replaced with Article 16-15 attached in Appendix A.

Article 16-18 of the Saratoga City Code concerning the Residential Building Code is hereby adopted as attached in Appendix A.

Article 16-20 of the Saratoga City Code concerning the Fire Code is hereby deleted in its entirety and replaced with Article 16-20 attached in Appendix A.

Article 16-25 of the Saratoga City Code concerning the Plumbing Code is hereby deleted in its entirety and replaced with Article 16-25 attached in Appendix A.

Article 16-30 of the Saratoga City Code concerning the Mechanical Code is hereby deleted in its entirety and replaced with Article 16-30 attached in Appendix A.

Article 16-35 of the Saratoga City Code concerning the Electrical Code is hereby deleted in its entirety and replaced with Article 16-35 attached in Appendix A.

Article 16-49 of the Saratoga City Code concerning the Green Building Standards Code is hereby adopted as shown in Article 16-49 attached in Appendix A.

Article 16-51 of the Saratoga City Code concerning the Energy Code is hereby adopted as shown in Article 16-51 attached in Appendix A.

Section 16-60.030 of the Saratoga City Code concerning the Early Warning Alarm System alarm system requirement is amended to include the bold underlined (**example**) text below:

16-60.030 Plan check by Fire District.

(a) All documentation relative to the proposed installation shall be submitted to the Fire District for approval. Where property is located within the jurisdiction of the Central Fire District, one copy of such documentation shall be furnished to the Chief of such District and one copy of such documentation shall also be furnished to the Chief of the Saratoga Fire District who shall determine whether the installation will comply with the applicable standards for the proposed system. The documentation shall include all plans, specifications, diagrams, data sheets, manufacturer's recommendations, and other information and documents listed in the standards and requirements adopted by the Saratoga Fire District, and such additional items pertaining to the proposed system as may be requested by the District. **Notwithstanding any other provisions of this Code, alternatives to the adopted standards and requirements may be approved if the Chief of the Fire District having jurisdiction over the property where an alternative is to be installed determines that such alternative will perform the early warning notification function as well or better than the adopted standards. The**

Saratoga Fire District shall be furnished a copy of documentation for all approved alternate installations.

(b) The Fire Districts may establish a fee for the plan checking services rendered pursuant to this Section.

Section 16-75.010 of the Saratoga City Code concerning swimming pool fencing is deleted as shown below:

~~16-75.010 Swimming pool fencing.~~

~~(a) Definition of "body of water." The term "body of water" as hereafter used in this Section shall mean any body of water over two feet in depth at any point, which is not part of a natural or artificial lake, or a stream, or a drainage facility under the control of the City or the County or a flood control or other public agency. By way of illustration, and not by way of limitation, a body of water is intended to include all pools designed for wading or swimming.~~

~~(b) Fence required. Every body of water in the City shall be completely enclosed by a fence of not less than five feet in height from finished grade measured on the outside of such fence, which shall be so constructed as not to have openings, holes or gaps larger than four inches in any dimension, except for doors and gates. Each door and gate in such fence shall be self-closing and self-latching. Fences completely surrounding a lot, site or parcel, and one or more walls of a building, or any combination of fencing, building walls, and walls shall constitute compliance with the provisions as to fencing. Where the building or one or more walls thereof constitutes a part of such enclosure, doors in the building leading from the pool area to the interior of such building need not be self-closing and self-latching.~~

Section 16-75.030 of the Saratoga City Code concerning water conservation devices is deleted as shown below:

~~16-75.030 Water conservation devices.~~

~~(a) All newly constructed buildings and irrigation systems shall be equipped with water conservation plumbing official.~~

~~(b) All newly installed irrigation systems for exterior landscaping shall be equipped with automatic timers and water sensors, as specified or approved by the building official.~~

~~(c) All newly constructed or remodeled nonresidential buildings shall be equipped with automatic shutoffs for plumbing fixtures, as specified or approved by the building official.~~

~~(d) No single pass cooling processes shall be utilized in any new construction.~~

Section 3. California Environmental Quality Act.

Pursuant to the California Environmental Quality Act ("CEQA"), this action is

exempt under California Code of Regulations, Title 14, Section 15308 (the amendments are exempt because they assure maintenance, restoration, enhancement, or protection of the environment) and Section 15061(b)(3) (the amendments are exempt because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

Section 4. Severance Clause.

The City Council declares that each section, sub-section, paragraph, sub-paragraph, sentence, clause, and phrase of this ordinance is severable and independent of every other section, sub-section, sentence, clause, and phrase of this ordinance. If any section, sub-section, paragraph, sub-paragraph, sentence, clause, or phrase is held invalid, the City Council declares that it would have adopted the remaining provisions of this ordinance irrespective of the portion held invalid and further declares its express intent that the remaining portions of this ordinance should remain in effect after the invalid portion has been eliminated.

Section 5. Publication.

This ordinance or a comprehensive summary thereof shall be published in a newspaper of general circulation of the City of Saratoga within fifteen days after its adoption.

- Continued Next Page -

The foregoing ordinance was introduced and read at the regular meeting of the City Council of the City of Saratoga held on the 20th day of November, 2013, and was adopted by the following vote following a second reading on the 4th day of December, 2013:

COUNCIL MEMBERS:

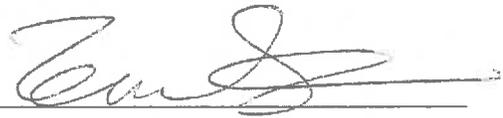
AYES: Mayor Emily Lo, Vice Mayor Howard Miller, Council Member Manny Cappello, Chuck Page, Jill Hunter

NOES: None

ABSENT: None

ABSTAIN: None

SIGNED:



Emily Lo
MAYOR, CITY OF SARATOGA, CALIFORNIA

ATTEST:


Crystal Bothelio
CITY CLERK

DATE: 12/11/2013

APPROVED AS TO FORM:


Richard Taylor
CITY ATTORNEY

DATE: 12/6/13

APPENDIX A

The City of Saratoga Municipal Code Chapter 16 Building Regulations is amended as follows. Only the sections of Chapter 16 listed below are modified. All other sections not modified with this ordinance shall remain in effect:

16-15.010 Adoption of 2013 California Building Code.

(a) The 2013 California Building Code, Title 24, Part 2, Volume 1 and 2, including appendices F and I, referred to throughout this Chapter as the "Building Code," is hereby referred to and, except as to additions, deletions and amendments hereinafter noted, such code is hereby adopted and made a part hereof, the same as if fully set forth in this Article, and shall be the Building Code of the City. However, in accordance with California Government Code Section 50222.4, no penalty clauses are adopted by reference. In accordance with California Health and Safety Code Section 17958.7, express findings that modifications to the Building Code are reasonably necessary because of local climatic, geological, or topographical conditions are either already on file with the California Building Standards Commission or will be filed prior to the effective date of the ordinance codified in this Article.

(b) In accordance with California Government Code Section 50022.6, at least one true copy of the Building Code has been on file with the City Clerk since fifteen days prior to enactment of the ordinance codified in this Article. While the ordinance codified in this Article is in force, a true copy of the Building Code shall be kept for public inspection in the office of the Building Official. A reasonable supply of the Building Code shall be available in the office of the City Clerk for public purchase.

(c) The additions, deletions and amendments set forth in this Article are made to the Building Code, as adopted by reference in Section 16-15.010(a).

16-15.020 Enforcement of Title 24 of the California Code of Regulations.

Pursuant to the laws of the State of California, Title 24 of the California Code of Regulations, also known as the California Building Standards Code, applies to all construction in the State of California and is enforced by the City of Saratoga in accordance with State law. This and other Articles of Chapter 16 of the Saratoga Code adopt certain provisions of Title 24 by reference and make revisions to reflect local climatic, geological, or topographical conditions. The provisions of Title 24 that are not adopted by reference or amended by this Article remain in effect as laws of the State.

16-15.025 Retention of plans.

(a) Section 107.5 of the Building Code is amended to read:

107.5 Retention of plans. One set of reviewed plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress. One set of reviewed plans, specifications, and computations shall be retained by the building official as part of his permanent records.

16.15-030 Expiration of permits.

(a) Subsection 105.5 of the Building Code is amended to read:

105.5 Expiration of Permits.

(a) Every permit issued by the building official under the provisions of the Building Code shall expire by limitation and become null and void if any one of the following occurs:

(1) The building or work authorized by such permit is not commenced within 180 days from the date of such permit; or

(2) The building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days; or

(3) The permittee fails or refuses to request an inspection required by Section 110 of the Building Code within any period of 180 consecutive days after the work authorized by the permit is commenced. If the building official conducts such inspection within such 180-day period, but declines to approve such inspection without correction of specified items and subsequent re-inspection, then the building permit shall not expire if such correction is made and passes re-inspection within 30 days after the end of the 180-day period described in this subsection.

(b) After such expiration, such work can be recommenced only upon reinstatement or issuance of a new permit to do so. The plans and specifications for a reinstated permit or new permit shall comply with all provisions of the City building code in effect at the time of reinstatement or issuance of a new permit. A reinstatement or new permit may be issued as follows:

(1) Reinstatement. Expired Permits may be reinstated if an application for permit reinstatement within 180 days of expiration, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment under (a)(2) above has not exceeded one year. The fee for issuance of a renewed permit shall be one-half of the full permit fees (based upon the fee schedule adopted by the City Council as of the time the reinstated permit is issued) if the reinstated permit is applied for within 180 days after expiration of the prior permit.

(2) New Permit. A new permit may be issued following expiration of a building permit as follows. An applicant may apply for a new permit at any time so long as any underlying Design Review Approval, Use Permit, or other required planning approval remains effective. The full permit fee shall apply to the new permit (based upon the fee schedule adopted by the City Council as of the time the new permit is issued).

(c) Notwithstanding the foregoing provisions, upon written request by the applicant showing, to the satisfaction of the building official, that the prior permit expired as a result of exceptional circumstances beyond the reasonable control of the applicant, the building official may waive or reduce the payment of a fee for issuance of the reinstated or new permit.

(d) The building official may decline to issue more than one reinstatement of a building permit if in the judgment of the building official the work authorized by the original permit is not being diligently prosecuted to completion. The building official may also condition any reinstatement to assure diligent prosecution to completion or to prevent a nuisance. The building official may approve no more than two reinstatements of a building permit.

(e) The building official may at any time exercise discretion to find that a building, structure, or work for which a building permit has expired qualifies as an unsafe building, structure, or work and proceed to abate any nuisance associated therewith.

(f) Where: (i) a building permit has expired; and (ii) the building, structure, or other work authorized by such permit has not been completed; and (iii) no reinstated permit has been obtained within 180 days after expiration, then said building, structure, or work shall be conclusively presumed to be unsafe; abandoned; a hazard to the public health, safety, and welfare; and a public nuisance.

(g) The building official is authorized to exercise discretion to abate any public nuisance regarding any unsafe building, structure, or work (including but not limited to one resulting under the preceding paragraph) by repair, rehabilitation, demolition, or removal thereof by:

(1) Proceeding under the Building Code for the Abatement of Dangerous Buildings (Article 16-45); or

(2) Proceeding under the following alternative method of enforcement where a building, structure, or other work authorized by a building permit has not been completed within 36 months of the date of issuance of the original permit, the building official may abate such public nuisance by ordering and duly

enforcing repair, rehabilitation, demolition, or removal of the building, structure, or other work; or construction of a fence or wall around the building, structure, or work so as to obscure it from view; or construction of other structures or blockades to prevent access to the building, structure, or other work by animals or humans.

16.15-040. Fees.

(a) Subsection 109.2 of the Building Code is amended to read:

109.2 Fees. The City of Saratoga may prescribe fees to defray the cost of enforcement of rules and regulations promulgated by the Department of Housing and Community Development or set forth in the Building Code. The amount of such fees shall not exceed the amount reasonably necessary to administer or process permits, certificates, forms, or other documents or to defray the costs of enforcement and shall be established by resolution of the City Council. The payment of any fee shall not exempt any person from compliance with all other provisions of this code or the technical codes nor from any penalty prescribed by law.

Permit Fees. The amount of the fees to be paid for each permit shall be established by resolution of the City Council.

Investigation Fees. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be established by resolution of the City Council.

Plan Review Fees. When a plan or other data are required to be submitted by Section 107.1 of the Building Code, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be established by resolution of the City Council. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged as established by resolution of the City Council.

Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

Additional Fees. The City of Saratoga may prescribe any additional fees reasonably necessary to cover the cost of administering this Article. Such fees shall be set forth in the City of Saratoga Master Fee Schedule adopted by the City Council.

16.15-045. Roof coverings.

(a) Section 1505.1.3 of the Building Code is amended to read:

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

(b) Section 1505.1.4 of the 2010 California Building Code is amended to read:

Roofing coverings within the Wildland-Urban Interface Fire Area. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period; the entire roof covering of every new structure; and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure shall be a fire-retardant roof covering that is at least Class A and must also comply with section 705A of the Building Code.

16-15.050 Underside of appendages.

(a) Section 707A.8 of the Building Code is amended to read:

707A.8 Underside of appendages. The underside of overhanging appendages shall be enclosed to grade in accordance with the requirements of Chapter 7 of the Building Code or the underside of the exposed underfloor shall consist of one of the following:

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

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

16-15.055 Accessory structures.

(a) Sections 710A.3.1 and 710A.3.2 of the Building Code are deleted in their entirety.

(b) Section 710A.4 of the Building Code is amended to read:

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

16-15-060 Automatic Sprinkler Systems

Section 903.2 of the Building Code is amended to read:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18 of the Building Code, whichever is the more restrictive. For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

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

Exceptions:

- a. Buildings and structures that do not exceed 1,000 square feet of building area and that are not located in the Wildland-Urban Interface Fire Area.
 - b. Buildings and structures that are located in the Wildland-Urban Interface Fire Area and do not exceed 500 square feet of building area.
 - c. Group S-2 or U occupancies that are not located in the Wildland-Urban Interface and are used exclusively for vehicle parking and that meet all of the following conditions:
 - i. Noncombustible construction;
 - ii. Maximum building area does not exceed 5,000 square feet;
 - iii. Structure is open on three (3) or more sides; and
 - iv. Minimum of 10 feet separation from existing buildings unless area is separated by fire walls complying with Section 706 of the Building Code.
2. An automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or additions are made that create conditions described in Sections 903.2.1 through 903.2.18 of the Building Code.

3. An automatic sprinkler system shall be provided throughout existing buildings and structures when additions are made that increase the building area to more than 3,600 square feet.

Exception:

One or more additions made to a building after January 1, 2011, that do not total more than 1,000 square feet of building area.

4. An automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.

5. Any change in the character of occupancy or in use of any building with a building area equal to or greater than 3,600 square feet that, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety or increased fire risk, as defined herein, shall require the installation of an approved fire automatic fire sprinkler system.

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

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

16-18.010 Adoption of 2013 California Residential Building Code.

(a) The 2013 California Residential Building Code, Title 24 part 2.5, , referred to throughout this Chapter as the "Residential Building Code," is hereby referred to and, except as to additions, deletions, and amendments hereinafter noted, such code is hereby adopted and made a part hereof, the same as if fully set forth in this article, and shall be the Residential Building Code of the City. However, in accordance with California Government Code Section 50222.4, no penalty clauses are adopted by reference. In accordance with California Health and Safety Code Section 17958.7, express findings that modifications to the California Building Standards Code are reasonably necessary because of local climatic, geological, or topographical conditions

are either already on file with the California Building Standards Commission or will be filed prior to the effective date of the ordinance codified in this Article.

(b) In accordance with California Government Code Section 50022.6, at least one true copy of the Residential Building Code has been on file with the City Clerk since fifteen days prior to enactment of the ordinance codified in this Article. While the ordinance codified in this Article is in force, a true copy of the Residential Building Code shall be kept for public inspection in the office of the Residential Building Official. A reasonable supply of the Residential Building Code shall be available in the office of the City Clerk for public purchase.

(c) The additions, deletions, and amendments set forth in this Article are made to the Residential Building Code, as adopted by reference in Section 16-18.010(a).

16-18.020 Enforcement of Title 24 of the California Code of Regulations.

(a) Title 24 of the California Code of Regulations, also known as the California Building Standards Code, is in effect in the City of Saratoga as amended by this Article. The provisions of Title 24 that are not adopted by reference or amended by this Article are enforced by the City of Saratoga as laws of the State.

16-18.025 Automatic sprinklers.

(a) Section R313.1 is amended to read:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in all new townhouses and in existing townhouses when additions are made that increase the building area to more than 3,600 square feet. **Exception:** One or more additions made to a building after January 1, 2011, that do not total more than 1,000 square feet of building area.

(b) Section R313.2 is amended to read:

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

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

Exception: One or more additions made to a building after January 1, 2011, that do not total more than 1,000 square feet of building area.

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

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

16-18.030 Material and construction methods for exterior wildfire exposure.

- (a) Section R327.7.9 "Underside of appendages" is amended as follows: Delete "When required by the enforcing agency."
- (b) Section R327.10.3.2 is deleted in its entirety.
- (c) Section R327.10.4 is amended as follows: Delete "When required by the enforcing agency."

16-18.035 Seismic reinforcing.

- (a) Section R403.1.3 is amended to read:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, D1, and D2, as established in Table R301.2(1) of the Residential Building Code, shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and 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 (1,219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook, and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D0, D1, and D2, where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1,219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

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

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

16-18.040 Limits on methods Gypsum Board (GB) and Portland Cement Plaster (PCP).

- (a) Table R602.10.3 (3) is amended as follows:

Add a new footnote "e" to the end of Table R602.10.3 (3), to read:

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

Add the "e" footnote notation in the title of Table R602.10.3 (3) to read:

TABLE R602.10.3 (3)e

- (b) Section R602.10.4.4 is added to read:

R602.10.4.4 Limits on methods GB and PCP. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to one-story single family dwellings and accessory structures.

16-18.045 Roof classification.

(a) Section R902.1.3 is amended to read:

R902.1.3 Roof coverings in all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period; the entire roof covering of every new structure; and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure shall be a fire-retardant roof covering that is at least Class A.

(b) Section R902.1.4. is amended to read:

R902.1.4.1 Roofing coverings within the Wildland-Urban Interface Fire Area. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period; the entire roof covering of every new structure; and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure shall be a fire-retardant roof covering that is at least Class A.

16-20.010 - Adoption of the California Fire Code and International Fire Code.

The 2013 California Fire Code, Title 24 part 9, and the 2012 International Fire Code, including Appendix

Chapters B, C, and K are referred to and, except as to additions, deletions, and amendments hereinafter noted, are adopted and made a part hereof, the same as if fully set forth in this Article. The California Fire Code and the International Fire Code as adopted herein are hereinafter referred to collectively as the "Fire Code." However, in accordance with California Government Code Section 50222.4, no penalty clauses are adopted by reference. In accordance with California Health and Safety Code Section 17958.7, express findings that modifications to the California Building Standards Code are reasonably necessary because of local climatic, geological or topographical conditions are either already on file with the California Building Standards Commission, or will be filed prior to the effective date of the ordinance codified in this Article. In accordance with California Government Code Section 50022.6, at least one true copy of the Fire Code has been on file with the City Clerk since fifteen days prior to enactment of the ordinance codified in this Article. While the ordinance codified in this Article is in

force, a true copy of the Fire Code shall be kept for public inspection in the office of the City Building Official and the Chief. A reasonable supply of the Fire Code shall be available in the office of the City Clerk for public purchase.

16-20.015 Enforcement of Title 24 of the California Code of Regulations.

Pursuant to the laws of the State of California, Title 24 of the California Code of Regulations, also known as the California Building Standards Code, applies to all construction in the State of California and is enforced by the City of Saratoga in accordance with State law. This and other Articles of Chapter 16 of the Saratoga Code adopt certain provisions of Title 24 by reference and make revisions to reflect local climatic, geological, or topographical conditions. The provisions of Title 24 that are not adopted by reference or amended by this Article remain in effect as laws of the State.

16-20.020 - Fire Department and Chief.

Fire protection is provided in the City of Saratoga by the Santa Clara County Fire Department and the Saratoga Fire District. As used in the Fire Code, "Fire Department" refers to the Fire Department that provides fire protection to the relevant location, and "Chief" or "Fire Code Official" refers to the Chief of that Fire Department.

16-20.025 - Amendments to Chapter 57 of the Fire Code; Class I and Class II liquids. Flammable and Combustible Liquids.

(a) Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited.

The limits referred to in Section 5704.2.9.6.1 of said Fire Code, in which the storage of flammable or combustible liquids in aboveground tanks is prohibited, are established as to all locations within the City of Saratoga that are residential or congested commercial areas as determined by the Fire Code Official.

(b) Establishment of limits of districts in which storage of flammable or combustible liquids in aboveground tanks is prohibited.

The limits referred to in Section 5706.2.4.4 of said Fire Code, in which the storage of flammable or combustible liquids in aboveground tanks is prohibited, are established as to all locations of the City of Saratoga that are residential or other locations as determined by the Fire Code Official.

16-20.030 - Amendments to Chapter 58 of the Fire Code; Cryogenic Fluids.

(a) Establishment of limits of districts in which the storage of stationary tanks of flammable cryogenic fluids are to be prohibited.

The limits referred to in Section 5806.2 of said Fire Code, in which the storage of flammable cryogenic fluids in stationary containers is prohibited, are established as to all

locations of the City of Saratoga that are residential and congested commercial areas as determined by the Fire Code Official.

16-20.040 - Amendments to Chapter 61 of the Fire Code; Liquefied Petroleum Gases.

(a) Establishment of limits in which storage of liquefied petroleum gases is prohibited.

The limits referred to in Section 6104.2 of said Fire Code, in which storage of liquefied petroleum gas (LPG) is restricted, are established as to all locations within the City of Saratoga that are residential or congested commercial areas as determined by the Fire Code Official.

Exceptions: LPG may be used for industrial operations or when natural gas would not provide a viable substitute for LPG. Portable containers for temporary heating and/or cooking uses may be permitted if stored and handled in accordance with this Code. Facilities in commercial areas for refueling portable or mobile LPG containers may be approved by the Fire Code Official on a case by case basis.

16-20.050 - Amendments to Chapter 1, Division II of the Fire Code; Administration.

Section [A] 105.1.4 is added as follows:

[A] 105.1.4 Construction permit fees.

Construction permit fees and plan review fees for fire hydrant systems, fire extinguishing systems and fire alarm systems shall be paid to the Fire Department in accordance with the following table based on valuation. The valuation shall be limited to the value of the system for which the permit is being issued. Plan review fees are 65% of the Permit Fee amount. For the purposes of determining the total fee amount for each permit, the plan review fee shall be added to the Permit Fee.

TOTAL VALUATIONS	PERMIT FEE
\$1.00 TO \$500.00	\$23.50
\$501.00 TO \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2001.00 TO \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 TO \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 TO \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction

	thereof, to and including \$500,000.00
\$500,001 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00, or fraction thereof

Additional re-inspections, in connection with the permits above, are to be paid at \$50.00 for each occurrence at the discretion of the fire code official.

Section [A] 105.1.5 is added as follows:

[A] 105.1.5 Operational permit fees. Operational permit fees shall be paid to the Fire Department as follows:

FACILITY TYPE	PERMIT FEE
1. Institutional	
A. More than 6 persons	\$75.00 - Annually
B. Over 50 persons	\$100.00 - Annually
2. Day Care Facilities	
More than 6 clients	\$35.00 - Annually
3. Places of Assembly	
A. 50-300 persons	\$50.00 - Annually
B. Over 300 persons	\$85.00 - Annually
4. Temporary Membrane Structures, Tents and Canopies(Only those requiring permits in accordance with Section 105.6.43)	\$85.00 – Each occurrence

Section [A] 105.6.48 is added as follows:

[A] 105.6.48 Day care facility. An operational permit is required to operate a business as a day care facility for more than 6 people.

Section [A] 105.6.49 is added as follows:

[A] 105.6.49: Institutional. A permit is required to operate, maintain, or use any institutional type occupancy. For the purpose of this Section, an institution shall be, but is not limited to: hospitals, children's homes, homes or institutions for insane or mentally retarded persons, homes or institutions for the care of aged or senile persons, sanitariums, nursing or convalescent homes, certified family care homes, residential care homes for the elderly, out of home placement facilities, halfway houses, and day care nurseries or similar facilities of any capacity.

Section [A] 106.5 is added as follows:

[A] 106.5 Final Inspection. No final inspection as to all or any portion of a development shall be deemed completed until the installation of the required fire protection facilities and access ways have been completed and approved. No final certificate of occupancy may be granted until

the Fire Department issues notice of final clearance of such fire protection facilities and access ways to the Building Department.

Section [A] 109.4 is amended to read as follows:

[A] 109.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than \$1,000.00 or by imprisonment not exceeding 365 days or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] 109.4.1 Abatement of Violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct, or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business, or occupancy of a structure on or about any premises.

[A] 109.4.2 Abatement of Hazard. (a) The maintenance of real property in violation of this code, or of any order of the Fire Department pursuant hereto, is declared to be a public nuisance and is subject to abatement in accordance with Article 3-15 of the Saratoga Municipal Code.

- (b) Notwithstanding paragraph (a) of this Section, if real property is maintained in violation of this code or any order of the Fire Department pursuant hereto and such violation constitutes, in the opinion of the Fire Chief, a fire hazard of such a nature that immediate action is required to protect the public health, safety, and welfare, the Fire Department may apply the emergency nuisance abatement procedure set forth in Article 3-20 of the Saratoga Municipal Code and take all necessary and immediate steps to abate the hazard without prior notice to the owner or occupant of the property. In such an event, the Fire Chief shall perform the duties of the City Manager as described in Article 3-20.
- (c) The cost of any abatement may be collected through the levy of a special assessment in accordance with the applicable provisions of Article 3-15 or Article 3-20 of the Saratoga Municipal Code. Such procedure is not intended to be exclusive, and the City or the Fire Department may simultaneously or successively exercise any other rights and remedies provided by law.

16-20.060 - Amendments to Chapter 2 of the Fire Code; Definitions

Chapter 2 DEFINITIONS

SECTION 202 GENERAL DEFINITIONS

Amend the following definition to read:

CONTINUOUS GAS DETECTION SYSTEM. An approved gas detection system where the analytical instrument is maintained in continuous operation and sampling is performed without interruption. Analysis is allowed to be performed on a cyclical basis at intervals not to exceed 30 minutes. In occupied areas where air is re-circulated and not exhausted to a treatment system (e.g. breathing zone), the Chief may require a cyclical basis at intervals not to exceed 5 minutes. The gas detection system shall be able to detect the presence of a gas at or below the permissible exposure limit in occupiable areas and at or below ½ IDLH (or 0.05 LC 50 if no established IDLH) in unoccupiable areas.

16-20.070 - Amendments to Chapter 3 of the Fire Code; General Precautions Against Fire.

SECTION 311 VACANT PREMISES

Section 311.1 is amended to read:

311.1 General. Temporarily unoccupied buildings, structures, premises or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with Sections 311.1 through 311.4

SECTION 316 HAZARDS TO FIRE FIGHTERS

Section 316.7 is added as follows:

316.7 Roof Guardrails At Interior Courts.

Roof openings into interior courts that are bounded on all sides by building walls shall be protected with guardrails. The top of the guardrail shall not be less than 42 inches in height above the adjacent roof surface that can be walked on. Intermediate rails shall be designed and spaced such that a 12-inch diameter sphere cannot pass through.

Exception:

Where the roof opening is greater than 600 square feet in area

16-20.090 - Amendments to Chapter 5 of the Fire Code; Fire Service Features.

SECTION 503 FIRE APPARATUS ACCESS ROADS

Section 503.1 is amended to read:

503.1 Where required.

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.2 and as per Fire Department Access Road Standards.

Section 503.2.1 is amended to read:

503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of 13 feet 6 inches (4115 mm).

Exception:

Where there are not more than two Group R, Division 3, or Group U occupancies, the access road width may be modified by the Fire Code Official.

SECTION 504 ACCESS TO BUILDING OPENINGS AND ROOFS

Section 504.5 is added 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 or within the building, are installed, such devices shall be approved by the Fire Code Official. All electrically powered access control devices shall be provided with an approved means for deactivation or unlocking from a single location or otherwise approved by the Fire Department. Access control devices shall also comply with Chapter 10 Egress.

SECTION 510 EMERGENCY RESPONDER RADIO COVERAGE

Section 510.1.1 is added as follows:

510.1.1 Obstruction by new buildings.

When it is determined that a new structure obstructs the line of sight emergency radio communications to existing buildings or to any other locations, the developer of the structure shall provide and install the radio retransmission equipment necessary to restore communications capabilities. The equipment shall be located in an approved space or area within the new structure.

16-20.100 - Amendments to Chapter 6 of the Fire Code; Building Services and Systems.

Section 605.12 is added :

605.12 Immersion Heaters.

All electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

Section 608.6.4 is added as follows:

608.6.4 Failure of Ventilation System.

Failure of the ventilation system shall automatically disengage the charging system.

16-20.110 - Amendments to Chapter 8 of the Fire Code; Interior Finish, Decorative Materials and Furnishings.

Section 806.1.1 is amended to read as follows:

Display inside buildings.

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

Exceptions:

1. Trees located in areas protected by an approved automatic sprinkler system in accordance Section 903.1.1 or 903.3.1.2 shall not be prohibited in Groups A, E, M, R-1 and R-2.
2. Trees shall be allowed within dwelling units in Group R-2 occupancies.

16-20.120 - Amendments to Chapter 9 of the Fire Code; Fire Protection Systems.

Section 903.2 is amended to read:

903.2 Where required.

Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18, whichever is the more restrictive. For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

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

Exceptions:

- a. Buildings and structures that do not exceed 1,000 square feet of building area and that are not located in the Wildland-Urban Interface Fire Area.
- b. Buildings and structures that are located in the Wildland-Urban Interface Fire Area and do not exceed 500 square feet of building area.

- c. Group S-2 or U occupancies that are not located in the Wildland-Urban Interface and used exclusively for vehicle parking and meeting all of the following conditions:
 - i. Noncombustible construction;
 - ii. Maximum building area not to exceed 5,000 square feet;
 - iii. Structure is open on three (3) or more sides; and
 - iv. Minimum of 10 feet separation from existing buildings unless area is separated by fire walls complying with CBC 706.
- 2. An automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or additions are made that create conditions described in Sections 903.2.1 through 903.2.18.
- 3. An automatic sprinkler system shall be provided throughout existing buildings and structures, when additions are made that increase the building area to more than 3,600 square feet.
Exception:
One or more additions made to a building after January 1, 2011, that do not total more than 1,000 square feet of building area.
- 4. An automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.
- 5. Any change in the character of occupancy or in use of any building with a building area equal to or greater than 3,600 square feet that, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety or increased fire risk, as defined herein, shall require the installation of an approved fire automatic fire sprinkler system.
 - a. Life Safety – Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities with non-ambulatory
 - b. Fire Risks – High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

16-20.130 – Amendments to Chapter 28 of the Fire Code; Lumber Yards and Woodworking Facilities.

SECTION 2803 GENERAL REQUIREMENTS

Section 2803.8 is added as follows:

2803.8 Fire Protection Water Supply System.

An approved fire protection water supply and hydrant system suitable for the fire hazard involved shall be provided for open storage yards and processing areas. Hydrant systems shall be installed in accordance with National Fire Protection Association Standard 24.

16-20.140 – Amendments to Chapter 33 of the Fire Code; Fire Safety During Construction and Demolition.

SECTION 3304 PRECAUTIONS AGAINST FIRE

Section 3304.8 is added as follows:

3304.8 Fire Walls.

When firewalls are required, the wall construction shall be completed (with all openings protected) immediately after the building is sufficiently weather-protected at the location of the wall(s).

SECTION 3311 MEANS OF EGRESS

Section 3311.1 is amended to read:

[B] 3311.1 Stairways Required.

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

Exception:

For multi-story buildings, one of the required exit stairs may be obstructed on not more than two contiguous floor levels for the purposes of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

Section 3311.1.1 is added as follows:

Section 3311.1.1 Required Means Of Egress.

All buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in the prefire plan as set forth in Section 3308.2 of the Fire Code.

16-20.150 - Amendments to Chapter 49 of the Fire Code; Requirements For Wildland-Urban Interface Fire Areas.

Section 4902 as follows is amended to read:

SECTION 4902 DEFINITIONS

Amend definition of Wildland-Urban Interface Fire Area as follows:

Wildland-Urban Interface Fire Area is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189 or other areas designated by the enforcing agency to be at a significant risk from wildfires. The Wildland-Urban Interface Fire Area shall be defined as all areas within the City of Saratoga as set forth and delineated on the map entitled "Wildland-Urban Interface Fire Area," which map and all notations, references, data, and other information shown thereon are hereby adopted and made a part of this chapter. The map properly attested, shall be on file in the Office of the City Clerk of the City of Saratoga.

SECTION 4906 HAZARDOUS VEGETATION AND FUEL MANAGEMENT

Section 4906.2 is amended to read:

Application.

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

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

SECTION 4907 DEFENSIBLE SPACE

Amend Section 4907.1 to read:

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

Buildings and structures within the Very-High Fire Hazard Severity Zones of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in Government Code 51175 – 51189 and any local ordinance of the authority having jurisdiction. Defensible space shall also be provided around water tank structures, water supply pumps and pump houses.

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

1. Maintain an effective defensible space by removing and clearing away flammable

vegetation and combustible growth from areas within 30 feet (9144 mm) of such buildings or structures.

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

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

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

3. Remove portions of trees, which extend within 10 feet (3048 mm) of the outlet of a chimney.

4. Maintain trees adjacent to or overhanging a building free of deadwood; and

5. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.

6. Remove flammable vegetation a minimum of 30 feet around liquefied petroleum gas tanks/containers.

7. Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. The storage of firewood and combustible material within

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the defensible space shall be located a minimum of 30 feet (6096 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).

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

8. Clear areas within 10 feet (3048 mm) of fire apparatus access roads and driveways of non-fire-resistive vegetation growth.

Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as greengrass, ivy, succulents or similar plants used as ground cover, provided they do not form a means of readily transmitting fire.

Section 4907.2 is added as follows:

Corrective Actions.

The executive body is authorized to instruct the Fire Code Official to give notice to the owner of the property upon which conditions regulated by Section 4907.1 of the Fire Code exist to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such conditions exist.

Section 4908 is added as follows:

SECTION 4908 FIRE PROTECTION PLAN

General.

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

Content.

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

Cost.

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

Plan Retention.

The fire protection plan shall be retained by the Fire Code Official .

Section 4909 is added as follows:

SECTION 4909 WATER SUPPLY

General.

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

Exception:

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

Standby Power.

Stationary water supply facilities within the wildland-urban interface area that are dependent on electrical power to meet adequate water supply demands shall provide standby power systems in accordance with the Electrical Code to ensure that an uninterrupted water supply is maintained. The standby power source shall be capable of providing power for a minimum of two hours.

Exceptions:

1. When approved by the Fire Code Official , a standby power supply is not required where the primary power service to the stationary water supply facility is underground.
2. A standby power supply is not required where the stationary water supply facility serves no more than one single-family dwelling.

Section 4910 is added as follows:

SECTION 4910 IGNITION SOURCE CONTROL

4910.1 Fireworks.

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

16-20.160 - Amendments to Chapter 50 of the Fire Code; Hazardous Materials-General Provisions.

Section 5003.9.11 is added to the Fire Code as follows:

5003.9.11 Fire Extinguishing Systems for Workstations Dispensing, Handling, or Using Hazardous Materials.

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

Exception: Internal fire protection is not required for Biological Safety Cabinets that carry NSF/ANSI certification where quantities of flammable liquids in use or storage within the cabinet do not exceed 500 ml.

16-20.170 - Amendments to Chapter 56 of the Fire Code; Explosives and Fireworks.

Chapter 56 of the 2013 California Fire Code is not adopted with the exception of the following Sections:

Section 5601.1 is adopted and amended to read:

Scope.

For explosives requirements, see California Code of Regulations, Title 19, Division 1, Chapter 10 and section 5601.2 of this chapter. For fireworks requirements, see California Code of Regulations, Title 19, Division 1, Chapter 6 and section 5601.3 of this chapter. For small arms ammunition, see Section 5601.5 of this chapter.

Exceptions:

1. The Armed Forces of the United States, Coast Guard, or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The use of explosive materials by federal, state, and local regulatory, law enforcement, and fire agencies acting in their official capacities.
4. Items preempted by federal regulations.

Section 5601.2 is added as follows:

Explosives.

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

Section 5601.3 is added as follows:

Fireworks.

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

Exceptions:

1. Storage, handling and use of fireworks and pyrotechnic special effects outside of buildings when used for public or proximate audience displays, motion picture, television, theatrical and group entertainment productions and when in accordance with Title 19 of the California Code of Regulations.
2. Storage, handling and use of pyrotechnic special effects fireworks inside of buildings when used for proximate audience displays or special effects in theatrical, television, motion picture and group entertainment productions when in accordance with Title 19 of the California Code of Regulations and when in buildings equipped throughout with an approved fire sprinkler system.

Section 5601.4 is added as follows:

Rocketry.

The storage, handling, and use of model rockets shall be in accordance with Title 19 of the California Code of Regulations and as approved by the fire code official.

Add Sections 5601.5 through 5601.5.3.2.3 to read:

5601.5 Small Arms Ammunition-General. Indoor storage and display of black powder, smokeless propellants and small arms ammunition shall comply with Sections 5601.5.1 through 5601.5.4.2.3.

5601.5.1 Packages. Smokeless propellants shall be stored in approved shipping containers conforming to DOTn 49 CFR, Part 173.

5601.5.1.1 Repackaging. The bulk repackaging of smokeless propellants, black powder and small arms primers shall not be performed in retail establishments.

5601.5.1.2 Damaged packages. Damaged containers shall not be repackaged.

Exception: Approved repackaging of damaged containers of smokeless propellant into containers of the same type and size as the original container.

5601.5.2 Storage in Group R occupancies. The storage of small arms ammunition in Group R occupancies shall comply with Sections 5601.5.2.1 through 5601.5.2.3.

5601.5.2.1 Smokeless propellants. Smokeless propellants intended for personal use in quantities not exceeding 20 pounds (9 kg) are permitted to be stored in Group R-3 occupancies where kept in original containers. Smokeless powder in quantities exceeding 20 pounds (9 kg) but not exceeding 50 pounds (23 kg) are permitted to be stored in Group R-3 occupancies where kept in a wooden box or cabinet having walls of at least 1 inch (25 mm) nominal thickness.

5601.5.2.2 Black powder. Black powder intended for personal use in quantities not exceeding 20 pounds (9 kg) are permitted to be stored in Group R-3 occupancies where kept in original containers and stored in a wooden box or cabinet having walls of at least 1 inch (25 mm) nominal thickness

5601.5.2.3 Small arms primers. No more than 10,000 small arms primers shall be stored in Group R-3 occupancies.

5601.5.3 Display and storage in Group M occupancies. The display and storage of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.1 through 5601.5.3.2.3.

5601.5.3.1 Display. The display of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.1.1 through 5601.5.3.1.3.

5601.5.3.1.1 Smokeless propellant. No more than 20 pounds (9 kg) of smokeless propellants, each in containers of 1 pound (0.454 kg) or less capacity, shall be displayed in Group M occupancies.

5601.5.3.1.2 Black powder. No more than 1 pound (0.454 kg) of black powder shall be displayed in Group M occupancies.

5601.5.3.1.3 Small arms primers. No more than 10,000 small arms primers shall be displayed in Group M occupancies.

5601.5.3.2 Storage. The storage of small arms ammunition in Group M occupancies shall comply with Sections 5601.5.3.2.1 through 5601.5.3.2.3.

5601.5.3.2.1 Storage of Smokeless propellant. Commercial stocks of smokeless propellants not on display shall not exceed 100 pounds (45 kg). Quantities exceeding 20 pounds (9 kg), but not exceeding 100 pounds (45 kg) shall be stored in portable wooden boxes having walls of at least 1 inch (25 mm) nominal thickness.

5601.5.3.2.2 Black powder. Commercial stocks of black powder not on display shall not exceed 50 pounds (23 kg) and shall be stored in a type 4 indoor magazine. When black powder and smokeless propellants are stored together in the same magazine, the total quantity shall not exceed that permitted for black powder.

5601.5.3.2.3 Small arms primers. Commercial stocks of small arms primers not on display shall not exceed 750,000. Storage shall be arranged such that not more than 100,000 small arms primers are stored in any one pile and piles are at least 15 feet (4572 mm) apart.

16-20.180 - Amendments to Chapter 57 of the Fire Code; Flammable and Combustible Liquids.

SECTION 5704 STORAGE

Section 5704.2.7.5.8 is amended to read:

Overfill Prevention.

An approved means or method in accordance with Section 5704.2.9.7.6 shall be provided to prevent the overfill of all Class I, II, and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants, or terminals regulated by Sections 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350. An approved means or method in accordance with Section 5704.2.9.7.6 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel burning equipment inside buildings.

Section 5704.2.7.5.9 is added as follows:

Automatic Filling of Tanks.

Systems that automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, approved by the Fire Code Official, which sends an alarm signal to

a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.

16-25.010 Adoption of California Plumbing Code.

The 2013 California Plumbing Code, Title 24, Part 5, including Appendix Chapters A, B, C, D, H, and I only, hereinafter referred to as the "Plumbing Code," is referred to and such code is adopted and made a part hereof, the same as if fully set forth in this Article, and shall be the Plumbing Code of the City. However, in accordance with California Government Code Section 50222.4, no penalty clauses are adopted by reference. In accordance with California Government Code Section 50022.6, at least one true copy of the Plumbing Code has been on file with the City Clerk since fifteen days prior to enactment of the ordinance codified in this Article. While the ordinance codified in this Article is in force, a true copy of the Plumbing Code shall be kept for public inspection in the office of the Building Official. A reasonable supply of the Plumbing Code shall be available in the office of the City Clerk for public purchase.

16-30.010 Adoption of California Mechanical Code.

The 2013 California Mechanical Code, Title 24, Part 4, including all appendices, hereinafter referred to as the "Mechanical Code," is referred to and such code is adopted and made a part hereof, the same as if fully set forth in this Article, and shall be the Mechanical Code of the City. However, in accordance with California Government Code Section 50222.4, no penalty clauses are adopted by reference. In accordance with California Government Code Section 50022.6, at least one true copy of the Mechanical Code has been on file with the City Clerk since fifteen days prior to enactment of the ordinance codified in this Article. While the ordinance codified in this Article is in force, a true copy of the Mechanical Code shall be kept for public inspection in the office of the Building Official. A reasonable supply of the Mechanical Code shall be available in the office of the City Clerk for public purchase.

16-35.010 Adoption of California Electrical Code.

The 2013 California Electrical Code, Title 24, Part 3, hereinafter referred to as the "Electrical Code," is referred to and such code is adopted and made a part hereof, the same as if fully set forth in this Article, and shall be the Electrical Code of the City. However, in accordance with California Government Code Section 50222.4, no penalty clauses are adopted by reference. In accordance with California Government Code Section 50022.6, at least one true copy of the Electrical Code has been on file with the City Clerk since fifteen days prior to enactment of the ordinance codified in this Article.

While the ordinance codified in this Article is in force, a true copy of the Electrical Code shall be kept for public inspection in the office of the Building Official. A reasonable supply of the Electrical Code shall be available in the office of the City Clerk for public purchase.

16-49.010 Adoption of California Green Building Standards Code.

The 2013 California Green Building Standards Code , Title 24, Part 11, hereinafter referred to as the "Green Building Standards Code," is referred to and such code is adopted and made a part hereof, the same as if fully set forth in this Article, and shall be the Green Building Standards Code of the City. However, in accordance with California Government Code Section 50222.4, no penalty clauses are adopted by reference. In accordance with California Government Code Section 50022.6, at least one true copy of the Green Building Standards Code has been on file with the City Clerk since fifteen days prior to enactment of the ordinance codified in this Article. While the ordinance codified in this Article is in force, a true copy of the Green Building Standards Code shall be kept for public inspection in the office of the Building Official. A reasonable supply of the Green Building Standards Code shall be available in the office of the City Clerk for public purchase.

Add Section:

16-51.010 Adoption of California Energy Code.

The 2013 California Energy Code , Title 24, Part 6, hereinafter referred to as the Energy Code," is referred to and such code is adopted and made a part hereof, the same as if fully set forth in this Article, and shall be the Energy Code of the City. However, in accordance with California Government Code Section 50222.4, no penalty clauses are adopted by reference. In accordance with California Government Code Section 50022.6, at least one true copy of the Energy Code has been on file with the City Clerk since fifteen days prior to enactment of the ordinance codified in this Article. While the ordinance codified in this Article is in force, a true copy of the Energy Code shall be kept for public inspection in the office of the Building Official. A reasonable supply of the Energy Code shall be available in the office of the City Clerk for public purchase.