

BUILDING STANDARDS COMMISSION

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March 10, 2011

Kirk B. Ballard, Building Official
City of Los Altos
One North San Antonio Road
Los Altos, CA 94022

Dear Mr. Ballard:

This is to acknowledge receipt of the City of Los Altos submittal pertaining to Ordinance No. 10-359 with findings on January 4, 2011 and is acceptable for filing.

However, it appears that your submittal includes amendments to energy efficiency standards. Local amendments exceeding energy efficiency standards are not enforceable until a finding is made by the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2) and Title 24, Part 1, Section 10-106. A copy of this letter is being sent to the Energy Commission for their determination. The remainder of your submittal has been filed in our office as of the date noted above.

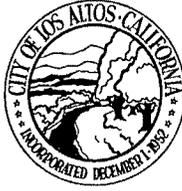
As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Building Standards Commission in order to become effective when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District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

The filing of the energy efficiency standards portion of this ordinance will not be complete without the approval of the California Energy Commission. If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Joe Loyer, California Energy Commission
Chron
Local Filings



AGENDA REPORT

DATE: November 23, 2010
TO: City Council
FROM: Kirk Ballard, Building Official
SUBJECT: BUILDING AND CONSTRUCTION CODE AMENDMENTS

RECOMMENDATION

Adopt and waive further reading of Ordinance No. 10-359 amending Title 12 of the Los Altos Municipal Code related to Building and Construction.

BACKGROUND

At the November 9, 2010 City Council meeting, Council introduced an ordinance amending Title 12 of the Municipal Code and adopting the 2010 California Code of Regulations, Title 24.

This is the second reading, and adoption, of those ordinance amendments. The new ordinance will go into effect on the 31st day following its adoption.

ALTERNATIVES

The City Council may modify the proposed ordinance and reintroduce it.

Attachment: Ordinance No. 10-359

2011 JUN -11 PM 12:50
CITY OF LOS ALTOS
CITY CLERK'S OFFICE

ORDINANCE NO. 10-359

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING TITLE 12 OF THE MUNICIPAL CODE BY REVISING CHAPTERS 12.04,
12.08, 12.12, 12.16, 12.20, 12.22, 12.24, 12.30, 12.32, 12.42, 12.66, 12.68 AND ADDING
CHAPTERS 12.10 AND 12.26 TO ADOPT BY REFERENCE THE FOLLOWING:**

2010 CALIFORNIA ADMINISTRATIVE CODE, PUBLISHED BY THE
INTERNATIONAL CODE COUNCIL;

2010 CALIFORNIA BUILDING CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2010 CALIFORNIA RESIDENTIAL CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2010 CALIFORNIA PLUMBING CODE, PUBLISHED BY THE INTERNATIONAL ASSOCIATION
OF PLUMBING AND MECHANICAL OFFICIALS;

2010 CALIFORNIA MECHANICAL CODE, PUBLISHED BY THE INTERNATIONAL
ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS;

2010 CALIFORNIA ELECTRICAL CODE, PUBLISHED BY
THE NATIONAL FIRE PROTECTION AGENCY;

2010 CALIFORNIA ENERGY CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2010 CALIFORNIA FIRE CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2010 CALIFORNIA GREEN BUILDING STANDARDS CODE PUBLISHED BY
THE CALIFORNIA BUILDING STANDARDS COMMISSION;

2010 CALIFORNIA HISTORICAL BUILDING CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2010 INTERNATIONAL EXISTING BUILDING CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2010 CALIFORNIA REFERENCED STANDARDS CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL OF BUILDING OFFICIALS;

UNDERGROUNDING UTILITIES; AND,

AMENDING PORTIONS OF THOSE CALIFORNIA BUILDING STANDARDS MAKING
EXPRESS FINDINGS OF LOCAL NECESSITY.

WHEREAS, the Ordinance amendments set forth below have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended (“CEQA”), and the guidelines promulgated thereunder and, further, said Council finds that it can be seen with certainty that there is no possibility that said amendments may have a significant effect on the environment and said amendments are therefore exempt from the requirements of the CEQA pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations.

The City Council of the City of Los Altos does ordain as follows:

SECTION 1. AMENDMENT OF CODE:

TITLE 12. BUILDINGS AND CONSTRUCTION

SECTION 2. Title 12, Chapter 12.04 of the Municipal Code is hereby repealed.

SECTION 3. Title 12, Chapter 12.04 of the Municipal Code is hereby added to read as follows:

Chapter 12.04 ADMINISTRATIVE CODE

Section 12.04.010 Adoption of the California Administrative Code.

There is hereby adopted by reference as if fully set forth herein, the 2010 edition of the California Code of Regulations, Title 24, Part 1, incorporating the California Administrative Code, published by the International Code Council, and each and all of its regulations and provision. One copy is on file for use and examination by the public in the office of the City Clerk.

SECTION 4. Title 12, Chapter 12.08, of the Municipal Code is hereby repealed.

SECTION 5. Title 12, Chapter 12.08, of the Municipal Code is hereby added to read as follows:

Chapter 12.08 BUILDING CODE

Section 12.08.010 Adoption of the California Building Code.

Section 12.08.020 Amendments.

Section 12.08.030 Correction of Violations.

Section 12.08.040 Fee Refunds.

Section 12.08.010 Adoption of the California Building Code.

The 2010 California Code of Regulations, Title 24, Part 2, incorporates the 2010 California Building Code (2 volumes) and also the International Building Code 2009 Edition, published by the California Building Standards Commission and the International Code Council, with the amendments and certain appendices as set forth in Section 12.08.020 is hereby adopted by reference as if fully set forth here. One copy of said code is on file in the office of the City Clerk for use and examination by the public.

Section 12.08.020 Amendments.

The Building Code referred to in Section 12.08.010 is adopted with the following amendments and certain Appendix Chapters as follows:

Chapter 1 Section 105.2 item 1 is deleted and replaced to read as follows, based upon the express finding of necessity set forth in Section 5.B.1. of this Ordinance.

A. Work exempt from building permits.

Building permits shall not be required for freestanding unenclosed play structures. Enclosed accessory structures used as play houses, tool and storage sheds, and similar use that are less than 120 square feet and exceed 6' (six feet) in height do not require a building permit but due require a site permit to comply with local zoning regulations.

Chapter 1 Section 110.3.4 is deleted and replaced to read as follows, based upon the express findings of necessity set forth in Section 5.B.2 of this Ordinance.

B. Frame Inspection.

Framing Inspection shall be made after the following components are completed. Roof deck and/or sheathing has been inspected and approved; complete finish roofing materials are installed, the building exterior envelope has all windows and doors installed, all framing, fireblocking, bracing, pipes, chimneys and vents to be concealed are complete, and all sub-trades including, but not limited to: building, electrical, plumbing, mechanical are roughed in and under required tests.

Chapter 19 Section 1908.1.8. ACI 318 section 22.10.1 that allows the use of plain concrete in residential structures assigned to seismic design category C, D, E or F of the 2010 California Building Code to read as follows, based upon the express finding of necessity set forth in section 5.B.3 of this Ordinance.

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

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

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

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

Exception:

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

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

Exception:

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

D. Only the following Appendix Chapters from the Building Code are adopted:

1. Appendix Chapter I, Patio Covers.
2. Appendix Chapter J, Grading.

Section 12.08.030 Correction of Violations.

The issuance or granting of a permit or approval of plans under this Title shall not prevent the Administrative Authority from thereafter requiring the correction of errors in such plans and specifications, or from preventing construction operations being carried on thereunder when in violation of this Code or of any other law, or from revoking any certificate of approval when issued in error.

- A. Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each.

Before such work can be recommenced, a new permit shall be first obtained, and the fee therefore shall be one-half (1/2) the amount required for a new permit for such work provided no changes have been made, or will be made, in the original plans and specifications for such work; and provided, further, that such a suspension or abandonment has not exceeded one year. In order to renew action on a permit after one year expiration, the permittee shall be required to pay a new full permit fee.

For the purpose of this section, failure to progress a project to the next level of required inspection shall be deemed abandonment of the project.

The Building Official may modify expired permit fees when the owner of residential projects only can demonstrate that the project has received all required inspections, except for the Building Division final. The fee amount of one hundred dollars shall be required within 10 working days of notice and the project shall achieve a final inspection within 30 days of payment received, otherwise expired permit fees as noted above shall be required.

- B. Work commencing before permit issuance. Whenever any work for which a permit is required by the California Code of Regulations as adopted in this article has been commenced without first obtaining said permit, the entire project permit fees shall be double the amount set forth in fee schedule resolution. This provision shall not apply to emergency work when the administration authority determines that such work was urgently necessary and that it was not practical to obtain a permit therefore prior to the commencement of such work. In such cases, a permit shall be obtained as soon as it is practical to do so; and if there is an unreasonable delay (exceeding two working days) in obtaining such permit, a double fee as provided in this section shall be charged.

Failure to comply with notices issued within five working days with regard to work commenced prior to permit issuance will result in Administration Citation Fees, Chapter 1.30 of the Los Altos Municipal Code.

Section 12.08.040 Fee Refunds.

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

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

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

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION 6. Authority and Findings.

- A. This Ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2.
- B. Express Findings as required by Health and Safety Code 18941.5(c.). The City Council of the City of Los Altos hereby expressly finds that amendments to the Building Code adopted by this Ordinance and as described in section 12.08.020 are necessary for the protection of the public health, safety and welfare, due to the local climatic, geologic or topographical conditions.

1. Section 105.2 (1) exempts one story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet from obtaining permits. Los Altos Municipal Code regulates structures over 6' (six feet) in height, therefore, these types of structures are regulated by local zoning regulations and are not exempt from obtaining site permits.
2. The City of Los Altos is a combination inspection jurisdiction, once the framing inspection is approved the building may be insulated. The City of Los Altos is located in climate zone four, due to the local climatic conditions; rain is often forecasted creating ideal conditions for mold related issues due to wet materials and insulation. Providing a finished roof in addition to installing exterior doors and windows will reduce these negative impacts.
3. Local Geological Conditions – The City of Los Altos is located in a highly active seismic region. The 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. The need to incorporate this modification into the code will help to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the International Building Code.

SECTION 7. Title 12.10 Chapter 12 of the Municipal Code is hereby added to read as follows:

Chapter 12.10 RESIDENTIAL CODE

Section 12.10.10 Residential Code – Adoption of the California Residential Code.

Section 12.10.30 Definitions.

Section 12.10.20 Amendments.

Section 12.10.10 Residential Code – Adoption of the California Residential Code.

The 2010 California Code of Regulations, Title 24, Part 2.5, incorporates the 2010 California Residential Code and also the 2009 International Residential Code Edition, published by the California Building Standards Commission and the International Code Council is hereby adopted. There is one copy of said code on file in the office of the Building official for use and examination by the public.

Section 12.10.20 Amendments.

The California Residential Code referred to in Section 12.10.10 is adopted with the following amendments to read follows:

Chapter 3 Section R301.1.3.2 is deleted and replaced to read as follows, based upon the express finding of necessity set forth in section 6.B.1. of this Ordinance.

R301.1.3.2 Woodframe structures. The building official shall require construction documents to be approved and stamped for structural compliance by a California licensed architect or engineer for all dwellings of woodframe construction more than one story in height located in Seismic Design Category D0, D1, D2, or E.

Chapter 3 Section R313.1 and Section R313.2 is deleted and replaced to read as follows, based upon the express finding of necessity set forth in section 6.B.2. of this Ordinance.

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 modifications are made that include alterations and/or additions of fifty (50) percent or greater to existing floor area (area calculations shall not include existing basements floor areas). When automatic fire sprinkler systems are required by this section, all associated garages shall be included.

1. The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period. The permit issuance dates of past additions and/or alterations where these regulations were in effect shall be used for determining compliance.

Section R313.2 is amended to read:

R313.2 One and two-family dwellings automatic fire sprinklers systems. An automatic residential fire sprinkler system shall be installed in all new one and two-family dwellings and in existing dwellings, when modifications are made that include alterations and/or additions of fifty (50) percent or greater to existing floor area (area calculations shall not include existing basement floor areas). When automatic fire sprinklers systems are required by this section, all associated garages shall be included.

2. The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period. The permit issuance date of past additions and/or alterations where these regulations were in effect shall be used for determining compliance.

Section 12.10.30 Definitions.

For the purpose of this chapter, certain words and phrases used herein are defined as follows: "Alteration" means to replace, remove or to frame above any of the existing roof framing members, such as but not limited to roof rafters, beams, or other structural roof framing members.

Exception:

1. This definition shall not apply to existing buildings where alterations are made to the building roof structure for purposes of achieving a pitched roof above existing low-sloped roof

structures, the existing roof or ceiling framing is to remain and no other additions, alterations, or remodeling is planned.

2. This definition shall not apply to area calculations for the roof framing required architecturally to incorporate additions above existing roof framing members.

Chapter 6 Section R602.10.2.1.1 and Table R602.10.1.2(2) footnote “d” is added to read as follows, based upon the express finding of necessity set forth in section 6.B.3. of this Ordinance.

Add a new subsection R602.10.2.1.1, to read:

R602.10.2.1.1 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 accessory structures.

Add a new footnote “d” to the end of CRC Table R602.10.1.2(2), to read:

d. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted and the use of Method PCP is limited to accessory structures.

Add the “d” footnote notation in the title of Table R602.10.1.2(2) after the three footnotes currently shown, to read:

TABLE R602.10.1.2(2)^{a,b,c,d}

SECTION 8. Authority and Findings.

- A. This Ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2.
- B. Express Findings as required by Health and Safety Code 18941.5(c). The City Council of the City of Los Altos hereby expressly finds that amendments to the California Residential Building Code adopted by this Ordinance and as described in section 12.10.010 are necessary for the protection of the public health, safety and welfare, due to the local climate, geologic or topographical conditions.
 1. Section R301.1.3.2. The City of Los Altos is geographically situated in Seismic Design Categories “D” and “E.” The City of Los Altos is adjacent to several active earthquake faults capable of producing substantial seismic events. The occurrence of a major earthquake would significantly impact all structures. Therefore, mitigation measures are necessary for residential two story buildings and above. Engineered designed buildings over one story in height will greatly reduce extensive damaged during a seismic event.

2. Section R313.1 and R313.2. The City of Los Altos 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. Additionally, the City of Los Altos is geographically situated adjacent to active earthquake faults capable of producing substantial seismic events. Since the City of Los Altos is divided by creeks, an expressway and other substantial traffic corridors, the occurrence of a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more bridges collapse or be substantially damaged. In addition, fire suppression capabilities would be severely limited should the water system be extensively damaged during the seismic event. Therefore, mitigation measures are necessary such as: automatic fire suppression systems, communications systems, access to buildings, seismic protection, safety controls for hazardous materials and other safe guards in order to minimize the risks to citizens, firefighters and property due to the severity of the fire threat and potential response delays.

3. Section R602.10.2.1.1 and Table R602.10.1.2(2) footnote “d.” The proposed amendment addresses the problem of 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.

SECTION 9. Title 12, Chapter 12.12 of the Municipal Code is hereby repealed.

SECTION 10. Title 12, Chapter 12.12 of the Municipal Code is hereby added to read as follows:

Chapter 12.12 PLUMBING CODE

Section 12.12.010 Plumbing Code – Adoption of the California Plumbing Code.

Section 12.12.020 Amendments.

Section 12.12.010 Plumbing Code – Adoption of the California Plumbing Code.

The 2010 California Code of Regulations, Title 24, Part 5, incorporates the 2010 California Plumbing Code and also the Uniform Plumbing Code 2009 Edition, published by the International Association of Plumbing and Mechanical Officials, with amendments and certain appendices set forth in Section 12.12.020 is hereby adopted. There is one copy of said code on file in the office of the City Clerk for use and examination by the public.

Section 12.12.020 Amendments.

The Plumbing Code referred to in Section 12.12.010 is adopted with the following amendments and certain Appendix Chapters as follows:

- A. Section 710.1 item 1 is deleted and replaced to read as follows, based upon the express finding of necessity set forth in Section 8.B.1 of this Ordinance.

- B. Drainage of Fixtures Located Below the Next Upstream Manhole or Below the Main Sewer level.

All new, replaced, or repaired building sewers both public and private sewer connections to the City main sewer system shall be protected from backflow of sewage by installing an accessible approved type backwater and atmospheric relief valve. Cleanouts for drains that pass through a backwater valve shall be clearly identified with a permanent label stating “backwater valve downstream”. Buildings sewers shall have an atmospheric relief valve installed upstream of the backwater valve outside the building in close proximity to the foundation.

Exception:

Sewer repairs where there is no existing cleanout located at or near the building foundation, may have these atmospheric relief devices placed near the repair upstream of the newly installed backwater valve.

- C. Chapter 12 Section 1211.18 is amended to read as follows, based upon express finding of necessity set forth in section 8.B.2 of this Ordinance.

Earthquake-actuated gas shutoff valves, certified by the State Architect as conforming to California Referenced Standard 12-16-1, shall be installed in all new buildings, and when reinstalling meters at the same location, and when relocating gas utility meters. Said gas shutoff valves shall be at or near the meter supplying gas to individual buildings.

- D. Only the following Appendix Chapters from the Plumbing Code are adopted:

1. Appendix A, Recommended Rules for Sizing the Water Supply System.
2. Appendix B, Explanatory Notes on Combination Waste and Vent Systems.
3. Appendix D, Sizing Storm Water Drainage Systems.
4. Appendix I, Installation Standards.
5. Appendix K, Private Sewage Disposal Systems.

SECTION 11. Authority and Findings.

- A. This Ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2.
- B. Express Findings as required by Health and Safety Code 18941.5(c). The City Council of the City of Los Altos hereby expressly finds that amendments to the Plumbing Code adopted by this Ordinance and as described in section 12.12.020 are necessary for the protection of the public health, safety and welfare, due to the local climatic, geologic or topographical conditions.

1. Section 710.1 requires that fixtures installed on a floor level lower than the next upstream manhole cover of the public or private sewer, serving such drainage piping, shall be protected from backflow of sewage by installing an approved backwater valve. Due to the topography of the City of Los Altos, it shall be required to install an accessible approved type backwater and atmospheric relief valve in all new, replaced or repaired public and private building sewers.
2. Local Geological Conditions – The City of Los Altos is located in a highly active seismic region. The need to incorporate this modification into the code will help to assure that all new buildings, and relocated gas meters for existing buildings equipped with these automatic gas shut off devices are designed to minimize fire, life and safety issues arising from damage due to an earthquake.

SECTION 12. Title 12, Chapter 12.16, of the Municipal Code is hereby repealed.

SECTION 13. Title 12, Chapter 12.16, of the Municipal Code is hereby added to read as follows:

Chapter 12.16 MECHANICAL CODES

Section 12.16.010 Adoption of the California Mechanical Code.

The 2010 California Code of Regulations, Title 24, Part 4, incorporates the 2010 California Mechanical Code and also the Uniform Mechanical Code 2009 Edition, is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

SECTION 14. Title 12, Chapter 12.20, of the Municipal Code is hereby repealed.

SECTION 15. Title 12, Chapter 12.20, of the Municipal Code is hereby added to read as follows:

Chapter 12.20 ELECTRICAL CODE

Section 12.20.010 Adoption of the California Electrical Code.

The 2010 California Code of Regulations, Title 24, Part 9, incorporates the 2010 California Electrical Code and also the National Electrical Code 2008 Edition, published by the National Fire Protection Agency, is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

SECTION 16. Title 12, Chapter 12.22, of the Municipal Code is hereby added to read as follows:

Chapter 12.22 ENERGY CODE

Section 12.22.010 Adoption of the California Energy Code.

There is hereby adopted by reference as if fully set forth herein, the 2010 edition of the California Code of Regulations, Title 24, Part 6, incorporating the California Energy Code, published by the International Code Council, and each and all of its regulations and provision. One copy is on file for use and examination by the public in the office of the Building Official.

SECTION 17. Title 12, Chapter 12.24 of the Municipal Code is hereby repealed.

SECTION 18. Title 12, Chapter 12. 24 of the Municipal Code is hereby added to read as follows:

Chapter 12.24 FIRE CODE

Section 12.24.010 Adoption of the 2010 California Fire Code and portions of the 2009 International Fire Code.

Section 12.24.015 Findings.

Section 12.24.020 Establishment and duties of the fire prevention division.

Section 12.24.030 Definitions.

Section 12.24.040 Establishment of limits of districts in which the storage of stationary tanks of flammable cryogenic fluids are to be prohibited.

Section 12.24.050 Establishment of limits of districts in which storage of Class I and II liquids in outside aboveground tanks is prohibited.

Section 12.24.060 Establishment of limits of districts in which storage of Class I and II liquids in aboveground tanks is prohibited.

Section 12.24.070 Establishment of limits in which storage of liquefied petroleum gases is prohibited.

Section 12.24.010 Adoption of the 2010 California Fire Code and portions of the 2009 International Fire Code.

There is hereby adopted by the City, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2010 California Fire Code and also the International Fire Code, 2009 Edition, including Appendix Chapters B, C and J save and except such portions as are hereinafter deleted, modified or amended by this chapter. One copy has been filed for use and examination by the public in the office of the Building Official. Said codes are adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance codified in this chapter shall take effect, _____, said codes shall be in full force and effect within the limits of the City.

(Ord. _____)

Section 12.24.015 Findings.

The City Council of the City of Los Altos hereby expressly finds that amendments to the California Fire Code adopted by this chapter and commencing with Section 12.24.080 are reasonably necessary for the protection of the public health, safety and welfare, due to the local climatic, geologic or topographical conditions specified as follows:

The City of Los Altos 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. Additionally, the City of Los Altos is geographically situated adjacent to active earthquake faults capable of producing substantial seismic events. Since the City of Los Altos is divided by creeks, an expressway and other substantial traffic corridors, the occurrence of a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more bridges collapse or be substantially damaged. In addition, fire suppression capabilities would be severely limited should the water system be extensively damaged during the seismic event. Therefore, mitigation measures are necessary such as: automatic fire suppression systems, communications systems, access to buildings, seismic protection, safety controls for hazardous materials and other safe guards in order to minimize the risks to citizens, firefighters and property due to the severity of the fire threat and potential response delays.

(Ord. _____)

Section 12.24.020 Establishment and duties of the fire prevention division.

- A. The California Fire Code shall be enforced by the fire prevention division in the fire department of the City of Los Altos which shall be operated under the supervision of the chief of the fire department.
- B. The City fire marshal shall be the chief of the fire prevention division and shall be appointed by the chief of the fire department.
- C. The chief of the fire department may assign members of the fire department as deputy fire marshals as shall be necessary.

(Ord. _____)

Section 12.24.030 Definitions.

- A. Wherever the words "board of appeal" are used, they shall mean the City Council of the City of Los Altos or the body appointed by the Council to pass on matters pertaining to fire safety.
- B. Wherever the words "fire prevention bureau" are used in the California Fire Code, they shall mean the fire prevention division of the fire department.
- C. Wherever the term "fire code official" is used, it shall mean the chief of the fire department.
- D. Wherever the word "jurisdiction" is used in the California Fire Code, it shall mean the City of Los Altos.

(Ord. _____)

Section 12.24.040 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 3506.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as all

locations of the City of Los Altos which are residential and congested commercial areas as determined by the fire code official.

(Ord. _____)

Section 12.24.050 Establishment of limits of districts in which storage of Class I and II liquids in outside aboveground tanks is prohibited.

The limits referred to in Section 3404.2.9.6.1 of the California Fire Code, in which the storage of flammable or combustible liquids in outside aboveground tanks is prohibited, are hereby established as all locations of the City of Los Altos that are residential or congested commercial areas as determined by the fire code official.

(Ord. 08-319 § 15 (part))

Section 12.24.060 Establishment of limits of districts in which storage of Class I and II liquids in aboveground tanks is prohibited.

The limits referred to in Section 3406.2.4.4 of the California Fire Code, in which the storage of flammable or combustible liquids in aboveground tanks is prohibited, are hereby established as all locations of the City of Los Altos that are residential or other locations as determined by the fire code official.

(Ord. 08-319 § 15 (part))

Section 12.24.070 Establishment of limits in which storage of liquefied petroleum gases is prohibited.

The limits referred to in Section 3804.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as all locations of the City of Los Altos that are residential or congested commercial areas.

Exception:

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.

(Ord. 08-319 § 15 (part))

Chapter 1 SCOPE AND ADMINISTRATION

Section 105 PERMITS

Section 105.6.8 Compressed gases.

Section 105.6.10 Cryogenic fluids.

Section 105.6.48 Day care facility.

Section 105.6.49 Institutional.

Section 105.6.8 is amended to read as follows:

Section 105.6.8 Compressed gases.

An operational permit is required for the storage, use or handling at normal temperature and pressure (NPT) of compressed gases in excess of the amounts listed in Table 105.6.8, to install any piped distribution system for compressed gases, or to install a non-flammable medical gas manifold system. A permit is required to install, repair, abandon, remove, place temporarily out of service, close or substantially modify a compressed gas system.

Exceptions:

1. Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.
2. Routine maintenance.
3. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.
4. Inert and simple asphyxiants at or below the amounts listed in Table 105-A.

The permit applicant shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of the storage, use or handling of compressed or liquefied gases. Such application shall include any change or alteration of the facility closure plan. This 30-day period may be waived by the chief if there are special circumstances requiring such waiver.

Section 105.6.10 is amended to read as follows:

Section 105.6.10 Cryogenic fluids.

An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Appendix Chapter 1, Table 105.6.10 or to install a cryogenic vessel or piping system for the storage or distribution of cryogenics.

Exception:

Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.

Section 105.6.48 is added to read as follows:

Section 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 105.6.49 is added to read as follows:

Section 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 home, home or institution for insane or mentally retarded persons, home or institution for the care of aged or senile persons, sanitarium, nursing or convalescent home, certified family care homes, residential care homes for the elderly, out of home placement facilities, halfway house, and day care nurseries or similar facility of any capacity.

Section 106 INSPECTIONS

Section 106.5 is added to read as follows:

Section 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 109 VIOLATIONS

Section 109.3 is amended to read as follows:

Section 109.3 Violation penalties.

Violation penalties shall be in accordance with Title 1, Chapter 1.30 of the City of Los Altos Municipal Code.
(Ord. _____)

Chapter 3 GENERAL PRECAUTIONS AGAINST FIRE

Section 311 VACANT PREMISES

The following sections are deleted:

Section 311.5 Placards.

Section 311.5.1 Placard location.

Section 311.5.2 Placard size and color.

Section 311.5.3 Placard date.

Section 311.5.4 Placard symbols.

Section 311.5.5 Informational use.

Section 316 HAZARDS TO FIREFIGHTERS

Section 316.6 is added to read as follows:

Section 316.6 Roof guardrails at interior courts.

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

Exception:

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

Chapter 4 EMERGENCY PLANNING AND PREPAREDNESS

Section 404 FIRE SAFETY AND EVACUATION PLANS

Section 404.2 Where required.

Section 404.3.1 Fire Evacuation Plans.

Section 404.2 is amended to read as follows:

Section 404.2 Where required.

An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

1. Group A buildings have an occupant load of 100 or more persons.
2. Group B buildings having an occupant load of 500 or more.
3. Group E: See §3.13 Title 19, CCR for regulations.
4. Group H.
5. Group I. See §3.09 Title 19, CCR for regulations.
6. Group R-1. See §3.09 Title 19, CCR for regulations.
7. Group R-2 college and university buildings.
8. Group R-4.
9. Group M buildings having an occupant load of 500 or more persons.
10. Covered malls exceeding 50,000 square feet (4645 m²) in aggregate floor area.
11. Underground buildings.

Section 404.3.1 is amended to read as follows:

Section 404.3.1 Fire Evacuation Plans.

Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only.
2. Description of what the fire alarm, if required, sounds and looks like (audible and visual warning devices).
3. Procedures for employees who must remain to operate critical equipment before evacuating.
4. Procedures for accounting for employees and occupants after evacuation has been completed.
5. Identification and assignment of personnel responsible for rescue or emergency medical aid.
6. The preferred and any alternative means of notifying occupants of a fire or emergency.
7. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
8. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
9. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

Section 405 EMERGENCY EVACUATION DRILLS

Table 405.2 is amended to read as follows:

**TABLE 405.2
FIRE AND EVACUATION DRILL
FREQUENCY AND PARTICIPATION**

GROUP OR OCCUPANCY	FREQUENCY	PARTICIPATION
Group A	Quarterly	Employees
Group B ^b	Annually	Employees
Group E	See §3.13 Title 19, CCR	
Group I	See §3.13 Title 19, CCR	
Group R-1	See §3.13 Title 19, CCR	
Group R-2 ^c	Four annually	All occupants
Group R-4	Quarterly on each shift	Employees ^b

Section 408 USE AND OCCUPANCY-RELATED REQUIREMENTS

The following sections are deleted:

Section 408.2.2 Announcements.
Section 408.3.1 First emergency evacuation drill.
Section 408.3.2 Emergency evacuation drill deferral.
Section 408.3.3 Time of day.
Section 408.3.4 Assembly points.
Section 408.5.1 Fire safety and evacuation plan.
Section 408.5.2 Staff training.
Section 408.5.3 Resident training.
Section 408.5.4 Drill frequency.
Section 408.5.5 Resident participation.
Section 408.6 I-2 occupancies.
Section 408.6.1 Evacuation not required.
Section 408.6.2 Coded alarm signal.
Section 408.7 Group I-E occupancies.
Section 408.7.1 Employee training.
Section 408.7.2 Staffing.
Section 408.7.3 Notification.
Section 408.7.4 Keys.
Section 408.8 Group R-1 occupancies.
Section 408.8.1 Evacuation diagrams.
Section 408.8.2 Emergency duties.
Section 408.8.3 Fire safety and evacuation instructions.

Section 408.9 is amended to read as follows:

Section 408.9 Group R-2 Occupancies.

Group R-2 occupancies shall comply with the requirements of Sections 408.9.1 through 408.9.3 and Sections 401 through 406. Group R-2 college and university buildings shall comply with the requirements of Sections 408.9.1 through 408.9.6 and Sections 401 through 406.

Section 408.9.4 is added to read as follows:

Section 408.9.4 First Emergency Evacuation Drill.

The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes.

Section 408.9.5 is added to read as follows:

Section 408.9.5 Time of Day.

Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires. In Group R2 college and university buildings, one required drill shall be held during hours after sunset or before sunrise.

The following sections are deleted:

Section 408.10 Group R-4 occupancies.

Section 408.10.1 Fire safety and evacuation plan.

Section 408.10.2 Staff training.

Section 408.10.3 Resident training.

Section 408.10.4 Drill frequency.

Section 408.10.5 Resident participation.

Section 408.11.1.2 is amended to read as follows:

Section 408.11.1.2 Revisions.

The lease plans shall be revised annually or as often as necessary to keep them current.

Chapter 5 FIRE SERVICE FEATURES

Section 503 FIRE APPARATUS ACCESS ROADS

Section 503.1 Where required.

Section 503.1.1 Building and Facilities.

Section 503.2.1 Dimensions.

Section 503.7 Traffic Calming Devices.

Section 503.1 is amended to read as follows:

Section 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 503.1.1 is amended to read as follows:

Section 503.1.1 Building and Facilities.

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend within 150 feet (45,720 mm) of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions:

1. When the building is equipped throughout with an approved automatic sprinkler installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the dimension may be increased to 300 feet.
2. When fire apparatus roads cannot be installed because of topography, waterways, nonnegotiable grades or other similar conditions, an approved alternative means of fire protection shall be provided.

Section 503.2.1 is amended to read as follows:

Section 503.2.1 Dimensions.

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

Exception:

When there are not more than two Group R, Division 3, or Group U occupancies, the access road width may be modified by the fire code official.

Section 503.7 is added to read as follows:

Section 503.7 Traffic Calming Devices.

Plans for Traffic Calming Devices incorporating street modifications such as speed humps, traffic circles or other physical measures intended to control vehicle speed on fire apparatus access roads, shall be submitted to the fire code official for review and comment prior to installation.

Devices shall not be installed on emergency response routes that unacceptably impair emergency response time, as defined in the Santa Clara County Fire Code Standards.

Section 504 ACCESS TO BUILDINGS AND ROOFS

Section 504.4 is added to read as follows:

Section 504.4 Access control devices.

When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the 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 Emergency responder radio coverage in buildings.

Section 510.1.1 Obstruction by new buildings.

Section 510.1 is amended to read as follows:

Section 510.1 Emergency responder radio coverage in buildings.

All buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communications system of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communications system. Emergency responder radio coverage systems shall be installed in accordance with Section 510 and Appendix J.

Section 510.1.1 is added to read as follows:

Section 510.1.1 Obstruction by new buildings.

When in the opinion of the fire code official, 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.

Chapter 6 BUILDING SERVICES AND SYSTEMS

Section 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

Section 605.11 is added to read as follows:

Section 605.11 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 STATIONARY STORAGE BATTERY SYSTEMS

Section 608.6.4 is added to read as follows:

Section 608.6.4 Failure of Ventilation System.

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

Chapter 8 INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS

Section 806 DECORATIVE VEGETATION IN NEW AND EXISTING BUILDINGS

Section 806.1.1 is amended to read as follows:

806.1.1 Display inside buildings.

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

Exceptions:

Deleted

Chapter 9 FIRE PROTECTION SYSTEMS

Section 903 AUTOMATIC SPRINKLER SYSTEMS

Section 903.2 Where required.

Section 903.3.1.1 NFPA 13 sprinkler systems.

Section 903.3.1.2 NFPA 13R sprinkler systems.

Section 903.3.1.3 NFPA 13D sprinkler systems.

Section 903.2 is amended to read as follows:

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

This chapter shall not apply to existing non-habitable residential accessory structures under three (3000) thousand square feet.

1. An automatic sprinkler system shall be provided throughout all new buildings and structures exceeding one (thousand) square feet.
2. An automatic sprinkler system shall be provided throughout all existing buildings, when modifications are made that include alterations and/or additions of fifty (50) percent or greater to existing floor areas (area calculations shall not include existing basement floor areas).
3. 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%.

4. The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period. The permit issuance dates of past additions and/or alterations where these regulations were in effect shall be used for determining compliance.

Definitions

For the purpose of this of this section, certain words and phrases used herein are defined as follows:

“Alteration” means to replace, remove or to frame above any of the existing roof framing members, such as but not limited to roof rafters, beams, or other structural roof-framing members.

Exceptions:

1. This definition shall not apply to existing non-sprinklered residential buildings where alterations are made to the building roof structure for purposes of achieving a pitched roof above existing low-sloped roof structures, the existing roof or ceiling framing is to remain and no other additions, alterations or remodeling is planned.
2. This definition shall not apply to area calculations for the roof framing required architecturally to incorporate additions above existing roof framing members.

Section 903.1.1 is amended to read as follows:

Section 903.3.1.1 NFPA 13 sprinkler systems.

Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1 and local standards.

For new buildings having no designated use or tenant, the minimum sprinkler design density shall be Ordinary Hazard Group 2.

Section 903.3.1.2 is amended to read as follows:

Section 903.3.1.2 NFPA 13R sprinkler systems.

Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R and local standards.

Section 903.3.1.3 is amended to read as follows:

Section 903.3.1.3 NFPA 13D sprinkler systems.

Where allowed, automatic sprinkler systems installed in one and two-family dwellings and townhouses shall be installed throughout in accordance with NFPA 13D and local standards.

Section 912 FIRE DEPARTMENT CONNECTIONS

Section 912.2 is amended to read as follows:

912.2 Location.

With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the building for other fire apparatus. The location of fire department connections shall be approved by the fire code official.

Chapter 14 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

Section 1404 PRECAUTIONS AGAINST FIRE

Section 1404.8 is added to read as follows:

Section 1404.8 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 1411 MEANS OF EGRESS

Section 1411.1 Stairways Required.

Section 1411.1.1 Required Means of Egress.

Section 1411.1 is amended to read as follows:

Section 1411.1 Stairways Required.

Each level above the first story in new 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 new 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 1411.1.1 is added to read as follows:

Section 1411.1.1 Required Means of Egress.

All new buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in the prefire plan. See Section 1408.2.

Chapter 19 LUMBER YARDS AND WOOD WORKING FACILITIES

Section 1907 STORAGE OF WOOD CHIPS AND HOGGED MATERIAL ASSOCIATED WITH TIMBER AND LUMBER PRODUCTION FACILITIES

Section 1907.6 added to read as follows:

Section 1907.6 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 NFPA 24.

Section 1908 STORAGE AND PROCESSING OF WOOD CHIPS, HOGGED MATERIALS, FINES, COMPOST AND RAW PRODUCT ASSOCIATED WITH YARD WASTE AND RECYCLING FACILITIES

Section 1908.11 is added to read as follows:

Section 1908.11 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 NFPA 24.

Chapter 33 EXPLOSIVES AND FIREWORKS

Section 3301 GENERAL

Section 3301.1 Scope.

Section 3301.2 Explosives.

Section 3301.3 Fireworks.

Section 3301.4 Rocketry.

Section 3301.5 Small Arms Ammunition-General.

Section 3301.5.1 Packages.

Section 3301.5.1.1 Repackaging.

Section 3301.5.1.2 Damaged packages.

Section 3301.5.2 Storage in Group R occupancies.

Section 3301.5.2.1 Smokeless propellants.

Section 3301.5.2.2 Black powder.

Section 3301.5.2.3 Small arms primers.
Section 3301.5.3 Display and storage in Group M occupancies.
Section 3301.5.3.1 Display.
Section 3301.5.3.1.1 Smokeless propellant.
Section 3301.5.3.1.2 Black powder.
Section 3301.5.3.1.3 Small arms primers.
Section 3301.5.3.2 Storage.
Section 3301.5.3.2.1 Storage of Smokeless propellant.
Section 3301.5.3.2.2 Black powder.
Section 3301.5.3.2.3 Small arms primers.

Section 3301.1 is amended to read as follows:

Section 3301.1 Scope.

For explosives requirements see California Code of Regulations, Title 19, Division 1, Chapter 10 and section 3301.2 of this chapter. For fireworks requirements see California Code of Regulations, Title 19, Division 1, Chapter 6 and section 3301.3 of this chapter. For small arms ammunition, see Section 3301.5 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 3301.2 is added to read as follows:

Section 3301.2 Explosives.

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

Section 3301.3 is added to read as follows:

Section 3301.3 Fireworks.

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

Exceptions:

1. Storage, 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 3301.4 is added to read as follows:

Section 3301.4 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.

Sections 3301.5 through 3301.5.3.2.3 are added to read as follows:

Section 3301.5 Small Arms Ammunition-General.

Indoor storage and display of black powder, smokeless propellants and small arms ammunition shall comply with Sections 3301.5.1 through 3301.5.4.2.3.

Section 3301.5.1 Packages.

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

Section 3301.5.1.1 Repackaging.

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

Section 3301.5.1.2 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.

Section 3301.5.2 Storage in Group R occupancies.

The storage of small arms ammunition in Group R occupancies shall comply with Sections 3301.5.2.1 through 3301.5.2.3.

Section 3301.5.2.1 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.

Section 3301.5.2.2 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.

Section 3301.5.2.3 Small arms primers.

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

Section 3301.5.3 Display and storage in Group M occupancies.

The display and storage of small arms ammunition in Group M occupancies shall comply with Sections 3301.5.3.1 through 3301.5.3.2.3.

Section 3301.5.3.1 Display.

The display of small arms ammunition in Group M occupancies shall comply with Sections 3301.5.3.1.1 through 3301.5.3.1.3.

Section 3301.5.3.1.1 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.

Section 3301.5.3.1.2 Black powder.

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

Section 3301.5.3.1.3 Small arms primers.

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

Section 3301.5.3.2 Storage.

The storage of small arms ammunition in Group M occupancies shall comply with Sections 3301.5.3.2.1 through 3301.5.3.2.3.

Section 3301.5.3.2.1 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.

Section 3301.5.3.2.2 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.

Section 3301.5.3.2.3 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.

Chapter 34 FLAMMABLE AND COMBUSTIBLE LIQUIDS

Section 3404 STORAGE

Section 3404.2.7.5.8 Overfill Prevention.

Section 3404.2.7.5.9 Automatic Filling of Tanks.

Section 3404.2.7.5.8 is amended to read as follows:

Section 3404.2.7.5.8 Overfill Prevention.

An approved means or method in accordance with Section 3404.2.9.6.6 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 3406.4 or 3406.7 shall have overfill protection in accordance with API 2350.

An approved means or method in accordance with Section 3404.2.9.7.6 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

Section 3404.2.7.5.9 is added to read as follows:

Section 3404.2.7.5.9 Automatic Filling of Tanks.

Systems that automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, approved by the fire code official, that sends an alarm signal to a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.

SECTION 19. Title 12, Chapter 12.26 of the Municipal Code is hereby added to read as follows:

Chapter 12.26 CALIFORNIA GREEN BUILDING STANDARDS CODE

Section 12.26.010 Adoption of the California Green Building Standards Code

Section 12.26.020 Amendments, Additions or Deletions

Section 12.26.030 Definitions.

Section 12.26.010 Adoption of the California Green Building Standards Code

There is hereby adopted by reference as if fully set forth herein, the 2010 edition of the California Code of Regulations, Title 24, Part 11, incorporating the California Green Building Standards Code, published by the California Building Standards Commission, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official

Section 12.26.020 Amendments, Additions or Deletions

The California Green Building Standards Code referred to in Section 12.26.010 is adopted with the following amendments and certain Appendix Sections as follows:

- A. Appendix A4, Section A4.203.1 Tier 1 (Residential Energy Efficiency: Exceed the California Energy Code based on the 2008 energy standards requirements by 15%), adopted as mandatory, and;
- B. Appendix A5, Section A5.203.1.1 Tier 1 (Non-Residential Energy Efficiency: Exceed the California Energy Code based on the 2008 energy standards requirements by 15%) Adopted as mandatory.

Exception:

Appendix A4 and A5 may have a minimum four (4K) kilowatt photovoltaic system installed in lieu of exceeding the California Energy Code Standards by fifteen (15) percent. Buildings less than two (2000) thousand square feet of total living area may qualify for a smaller photovoltaic system, substantial justification shall be demonstrated and approved by the Building Official.

Chapter 1 Section 102.4 Scope and Mandatory Compliance: is hereby added to read as follows, based on express finding of necessity set forth in Section 16.B.

Section 102.4 Scope and Mandatory Compliance

This code contains both mandatory and voluntary green building measures. Mandatory and voluntary measures are identified in the appropriate chapters contained in this code. Compliance measures and methods shall be by one of the following measures approved by the Building Official.

The means by which compliance measures are achieved shall be mandatory measures with the appropriate appendix sections adopted, building division mandatory and voluntary check list, whole house Build it Green GreenPoints check list, LEED, other recognized point systems, Title 24 Part 6

Energy Efficiency Standards, or equivalent approved methods. Green Building Compliance measures in addition to checklists shall be incorporated into the project drawings approved by the Building Official prior to building permit submittal. Projects are required to show verification of the required energy savings of 15% by comparison of the proposed building to the Title 24 Part 6, standard building by calculation of the TDV energy.

Prior to issuance of a building permit, the owner or responsible Registered Design Professional acting as the owner's agent shall employ and/or retain a Qualified Green Building Professional to the satisfaction of the Building Official; and prior to final inspection shall submit verification that the project is in compliance with this ordinance.

Section 12.26.030 Definitions.

For the purpose of this chapter, certain words and phrases used herein are defined as follows:

“Build It Green” means the Build It Green organization. Build It Green is a California professional non-profit membership organization whose mission is to promote healthy, energy and resource-efficient buildings.

“GreenPoint Rated” means the rating system developed by Build It Green.

“LEED” means the “Leadership in Energy and Environmental Design” program developed by the U.S. Green Building Council. The U.S. Green Building Council is a National professional non-profit membership organization whose mission is to promote buildings that are environmentally responsible.

“LEED” Accredited Professional” means a person or organization determined by the building official to be qualified to perform inspections and provide documentation to assure compliance with the U.S. Green Building Council LEED requirements.

“Qualified Green Building Professional” means a person trained through the USGBC as a “LEED AP” (accredited professional), or through Build It Green as a GreenPoint Rater, or other qualifications when acceptable to the Building Official. A certified green building professional, architect, designer, builder, or building inspector may be considered a qualified green building professional when determined appropriate by the Building Official.

SECTION 20. Authority and Findings.

- A. This Ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2.
- B. Express Findings as required by Health and Safety Code 18941.5(c). The City Council of the City of Los Altos hereby expressly finds that amendments to the California Green Building Standards Code adopted by this Ordinance and as described in section 12.26.020 are necessary for the protection of the public health, safety and welfare, due to the local climate, geologic or topographical conditions.

Section 102.4 Scope and Mandatory Compliance is hereby added to clarify section 102.3 Verification. This code requires mandatory and when adopted voluntary measures of the California Green Building Standards Code to be enforced. Due to the City of Los Altos local climate, geologic and topographical location; the city requires additional means and methods of compliance to ensure green building regulations are both implemented to adhere to the State of California Green Building Standards Code Part 11, and also coincide to the City of Los Altos present ordinance; Green Construction Regulations for Existing Buildings.

SECTION 21. Title 12, Chapter 12.30 of the Municipal Code is hereby repealed.

SECTION 22. Title 12, Chapter 12.30 of the Municipal Code is hereby added to read as follows:

Chapter 12.30 CALIFORNIA EXISTING BUILDING CODE

Section 12.30.10 Adoption of the California Existing Building Code.

There is hereby adopted by reference as if fully set forth herein, the 2010 edition of the California Code of Regulations, Title 24, Part 10, incorporating the California Existing Building Code and also the International Existing Building Code edition, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official.

SECTION 23. Title 12, Chapter 12.32 of the Municipal Code is hereby repealed.

SECTION 24. Title 12, Chapter 12.32 of the Municipal Code is hereby replaced to read as follows:

Chapter 12:32 CALIFORNIA HISTORICAL BUILDING CODE

Section 12.32.10 Adoption of the California Historical building Code.

There is hereby adopted by reference as if fully set forth herein, the 2010 edition of the California Code of Regulations, Title 24, Part 8, incorporating the California Historical Building Code published by the International Code Councils, is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

SECTION 25. Title 12, Chapter 12.42 of the Municipal Code is hereby repealed.

SECTION 26. Title 12, Chapter 12.42 of the Municipal Code is hereby added to read as follows:

Chapter 12.42 CALIFORNIA REFERENCED STANDARDS CODE

Section 12.42.10 Adoption of the California Referenced Standards Code.

There is hereby adopted by reference as if fully set forth herein, the 2010 edition of the California Code of Regulations, Title 24, Part 12, incorporating the California Referenced Standards Code,

published by the International Code Council, and each and all of its regulations and provision. One copy is on file for use and examination by the public in the office of the Building Official.

SECTION 27. Title 12, Chapter 12.66 of the Municipal Code is hereby amended to read as follows:

Chapter 12.66 GREEN CONSTRUCTION REGULATIONS FOR EXISTING BUILDINGS

Section 12.66.20 Definitions.

Section 12.66.030 Covered Projects.

Section 12.66.040 Private Building Compliance

Section 12.66.20 Definitions.

For the purposes of this chapter, certain words and phrases used herein are defined as follows:

“Alteration” means to replace, remove or to frame above any of the existing roof framing members, such as but not limited to roof rafters, beams, or other structural roof framing members.

Exceptions:

1. This definition shall not apply to existing buildings where alterations are made to the building roof structure for purposes of achieving a pitched roof above existing low-sloped roof structures, the existing roof or ceiling framing is to remain and no other additions, alterations, or remodeling is planned.
2. This definition shall not apply to area calculations for the roof framing required architecturally to incorporate additions above existing roof framing members.

“Build It Green” means the Build It Green organization. Build It Green is a California professional non-profit membership organization whose mission is to promote healthy, energy and resource-efficient buildings.

“Certified Green Building Rater” means a person or organization determined by the building official to be qualified to perform inspections and provide documentation to assure compliance with the Build It Green program requirements.

“GreenPoint Rated” means the rating system developed by Build It Green.

“LEED” means the “Leadership in Energy and Environmental Design” program developed by the U.S. Green Building Council. The U.S. Green Building Council is a National professional non-profit membership organization whose mission is to promote buildings that are environmentally responsible.

“LEED Accredited Professional” means a person or organization determined by the building official to be qualified to perform inspections and provide documentation to assure compliance with the U.S. Green Building Council LEED requirements.

“Qualified Green Building Professional” means a person trained through the USGBC as a LEED AP (accredited professional), or through Build It Green as a GreenPoint Rater, or other qualifications when acceptable to the Building Official. A certified green building professional, architect, designer, or builder may be considered a qualified green building professional when determined appropriate by the Building Official.

Section 12.66.030 Covered Projects.

This chapter shall apply to the new construction of the following types of existing buildings:

- A. All Existing Residential Group R Occupancies.
- B. All Existing commercial, mixed-use, and public and community facility buildings.

For the purposes of this chapter, existing construction shall mean main building additions and/or alterations of fifty (50) percent or greater to existing buildings, excluding basements (area calculations shall not include existing basement floor areas). This chapter shall not apply to existing accessory structures or to additions and/or alterations of less than fifty (50) percent to existing main buildings.

- C. The obligation to provide compliance with these green building regulations may not be evaded by performing a series of small additions and/or alterations undertaken within a three year period. The original addition and/or alteration permit issuance date where these regulations were in effect shall be used for compliance.

Section 12.66.40 Private Building Compliance

All covered projects shall demonstrate compliance with the following level of green building standards:

- A. All Existing Residential Group R Occupancies.
 - 1. Prior to submittal of a building permit, the owner or shall employ and/or retain a Qualified Green Building Professional to the satisfaction of the Building Official; and shall submit verification using whole house Build It Green GreenPoints check list in addition to the City of Los Altos GB-1 verification form that the home design has been GreenPoint Rated with a minimum score of 50 points.
 - 2. Prior to issuance of a final occupancy inspection, the applicant shall submit verification that the home was built in compliance with the GreenPoint Rated approval.
- B. Commercial, mixed-use, and public and community facility buildings.

Prior to issuance of a building permit, the applicant shall submit verification that the building design will be fifteen (15) percent more energy efficient than required by the Part 6 of Title 24 of

the California Code of Regulations using a State of California adopted performance method, as approved by the State Energy Commission.

Exception:

In lieu of exceeding the California Energy Code Standards by 15%, a photovoltaic systems having a minimum four (4K) kilowatts may be installed. Buildings less than two (2000 sq.ft) square feet of total living area may qualify for a smaller photovoltaic system; substantial justification shall be demonstrated and approved by the Building Official.

SECTION 28. Title 12, Chapter 12.66 of the Municipal Code is hereby amended to read as follows:

Chapter 12.68 UNDERGROUNDING UTILITIES

Section 12.68.010 Purpose.

Section 12.68.020 Definitions.

Section 12.68.030 Undergrounding utilities.

Section 12.68.010 Purpose.

The purpose of this chapter is to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities. (Ord. 07-312 § 1 (part))

Section 12.68.020 Definitions.

For the purpose of this chapter, certain words and phrases used herein are defined as follows:

“Alteration” means to replace, remove or to frame above any of the existing roof framing members, such as but not limited to roof rafters, beams, or other structural roof framing members.

Exceptions:

1. This definition shall not apply to existing buildings where alterations are made to the building roof structure for the purposes of achieving a pitched roof above existing low-sloped roof structures, the existing roof or ceiling framing is to remain, and no other additions, alterations, or remodeling is planned.
2. This definition shall not apply to area calculations for the roof framing required architecturally to incorporate additions above existing roof framing members.

Section 12.68.030 Undergrounding utilities.

It is the intent of the city to ensure that all new utility services and relocated existing utility services, are placed underground, including additions and/or alterations of fifty (50) percent or greater to existing buildings, excluding basements. Therefore, the following shall apply:

- A. In areas served by existing overhead facilities, all new service drops shall be installed underground from the most convenient existing pole.
- B. Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted in some instances pursuant to Section 13.20.160 of the municipal code.
- C. Residential properties that are served by utilities located in rear yards on standard lots with frontage on only one public right-of-way shall not be required to underground existing overhead services.
- D. The obligation to provide compliance with these underground utility regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three year period. The original addition and/or alteration permit issuance date where these regulations were in effect shall be used for compliance.
- E. The Building Official may grant exceptions to these requirements in cases where access across adjacent property is necessary, but is not legally or practically available.

SECTION 29. The City Clerk is hereby directed to file a copy of this Ordinance with the California Building Standards Commission of the State of California.

SECTION 30. Constitutionality. If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise void or invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, subdivision, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional.

SECTION 31. This Ordinance shall become effective upon the commencement of the 31st day following the date of its passage and adoption.

SECTION 32. This Ordinance shall be published as provided in Government Code section 36933.

A copy of these findings, together with the modification or changes expressly marked and identified to which each finding refers, shall be filed by the City Clerk with the California Building Standards Commission.

The above and foregoing Ordinance was introduced at a regular meeting of the Los Altos City Council held on November 9, 2010, and was thereafter passed and adopted by the following roll call vote at a regular meeting of the Los Altos City Council held on November 23, 2010.

AYES:
NOES:
ABSENT:
ABSTAIN:

David C. Casas, MAYOR

ATTEST:

Susan Kitchens, CITY CLERK

Date _____

SECTION 30. Constitutionality. If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise void or invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, subdivision, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional.

SECTION 31. This Ordinance shall become effective upon the commencement of the 31st day following the date of its passage and adoption.

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A copy of these findings, together with the modification or changes expressly marked and identified to which each finding refers, shall be filed by the City Clerk with the California Building Standards Commission.

The above and foregoing Ordinance was introduced at a regular meeting of the Los Altos City Council held on November 9, 2010, and was thereafter passed and adopted by the following vote at a regular meeting of the Los Altos City Council held on November 23, 2010.

AYES: SATTERLEE, CARPENTER, PACKARD, BECKER, CASAS
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



David C. Casas, MAYOR

ATTEST:


Susan Kitchens, CITY CLERK

Date November 30, 2010