

**BUILDING STANDARDS COMMISSION**

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



January 27, 2014

David Chung, Building Official  
Building and Safety Division  
City of Gilroy  
7351 Rosanna Street  
Gilroy, CA 95020

RE: Ordinance #2013-10

Dear Mr. Chung:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 19, 2013.

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

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

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

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

Sincerely,

A handwritten signature in blue ink that reads "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings



**O'Brien, Laurie@DGS**

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**From:** David Chung <David.Chung@ci.gilroy.ca.us>  
**Sent:** Wednesday, December 18, 2013 10:47 AM  
**To:** OrdinanceFilings@DGS  
**Cc:** David Chung  
**Subject:** RE: City of Gilroy - Electronic Filing of Local Code and Amendment Adoption, including Findings of Fact for the Adoption and Amendments of the 2013 CBSC (1 of 2)  
**Attachments:** GILROY FIRE CODE ADOPTION ORDINANCE 2013 w reasons.pdf

To Whom This May Concern:

I apologize for the inconvenience.

Please ignore the previous version emailed on 12/12/13....Some of the reasoning didn't get printed. See correct Ordinance 2013-10 attached.

Let me know if you have any questions.

Sincerely,  
David Chung, M.S, P.E, C.B.O  
Building Plan Check Engineer/Building Official  
Building & Safety Division  
7351 Rosanna Street  
Gilroy, CA 95020  
City of Gilroy  
Tel (408)846-0258  
Fax (408)846-0429

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**From:** David Chung  
**Sent:** Thursday, December 12, 2013 3:43 PM  
**To:** 'OrdinanceFilings@dgs.ca.gov'  
**Subject:** City of Gilroy - Electronic Filing of Local Code and Amendment Adoption, including Findings of Fact for the Adoption and Amendments of the 2013 CBSC (1 of 2)

To Whom This May Concern:

Please find enclosed Ordinance 2013-10 and 2013-11 of the City of Gilroy, California, adopting and amending the 2012 International Codes and amendments to the 2013 California Building Standards Code. The findings of fact and specific changes are incorporated in the Ordinances included in this email.

This is email 1 of 2. The file is too big. Sorry for the inconvenience.

Let me know if you have any questions.

Sincerely,  
David Chung, M.S, P.E, C.B.O  
Building Plan Check Engineer/Building Official  
Building & Safety Division  
7351 Rosanna Street  
Gilroy, CA 95020

City of Gilroy  
Tel (408)846-0258  
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**ORDINANCE NO. 2013 - 10****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GILROY ADOPTING THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE, WITH THE 2013 CALIFORNIA FIRE CODE, CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 9, INCLUDING LOCAL AMENDMENTS**

WHEREAS, Section 10.9 of the Gilroy City Code provides that the latest edition of the California Fire Code (CFC) shall be submitted to the City Council for adoption subject to local modifications and changes; and

WHEREAS, the latest edition of the California Fire Code is the 2012 International Fire Code (IFC) with amendments adopted by the State of California as the 2013 California Fire Code; and

WHEREAS, California has adopted the 2013 California Fire Code with amendments as part of the California Building Standards Code Title 24, Part 9; and

WHEREAS, California Health and Safety Code section 17958 authorizes a city or county to make changes in provisions published in the California Building Standards Code or other regulations, but specifies that if a city or county does not amend, add, or repeal ordinances or regulations to impose those requirements or make changes or modifications in those requirements upon express findings, the provisions published in the California Building Standards Code or other promulgated regulations shall be applicable to the city or county and shall become effective 180 days after publication, which date of effectiveness is January 1, 2014; and

WHEREAS, California Health & Safety Code section 17958.5 authorizes a city or county to make changes or modifications in the requirements contained in the provisions of the California Building Standards Code and other adopted regulations if the city or county determines that the changes or modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

determines that the changes or modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, California Health & Safety Code section 13143 authorizes a city or county, by ordinance, to make changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety and certain other regulations; and

WHEREAS, the Silicon Valley area, which includes this City, is within a very active seismic area and local soil conditions can be highly expansive and are prone to shrink and swell during seasonal drying and wetting; and

WHEREAS, portions of the City are in hillside areas that are high hazard fire zones and are adjacent to State Responsibility Areas designated as very high hazard zones. These areas have only limited fire suppression forces and facilities available for the protection of life and property and are characterized by vegetation that is highly flammable and subject to rapidly expanding wildfires; and

WHEREAS, city fire protection and suppression services for buildings are limited and therefore require supplemental fire suppression services such as automated fire sprinkler systems fire alarms and fire resistive construction; and

WHEREAS, the City has local climatic considerations including temperatures ranging from below freezing to over one hundred degrees, local geological considerations including the presence of seismic activity and expansive clay soils, and local topographical considerations including extensive hillside construction that is prone to erosion and slippage; and

WHEREAS, the City has participated in a County-wide effort over many months to make uniform amendments to the 2012 International Fire Code with 2013 California Fire Code amendments, and that the cities in the county that share similar local climatic, geological and topographical considerations; and

WHEREAS, the City Fire Chief and staff recommend that some local amendments to the 2012 International Fire Code and 2013 California Fire Code are necessary as are set forth herein; and

WHEREAS, a duly noticed public hearing was held prior to the adoption of this 2012 International Fire Code with 2013 California Fire Code amendments and local amendments thereto by the City Council on November 4, 2013; and

WHEREAS, this Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA"), as amended, because it does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the City Council has reviewed all of the written materials and considered all of the oral testimony presented to it on this matter.

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

#### **SECTION I**

This Ordinance shall be known and cited as the City of Gilroy Fire Code.

#### **SECTION II**

The City of Gilroy does adopt that portion of the International Fire Code, 2012 Edition, together with the California Fire Code 2013 Edition including Appendix Chapters as adopted by the State Building Standards Commission, including Errata, with modifications, additions and changes recommended by the Fire Chief as set forth in Section III of this Ordinance. By adopting the California Fire Code 2013 Edition, the City of Gilroy expressly excludes from adoption Chapter 1, Division II, Section 103.2.

### SECTION III

**AMEND THE 2012 IFC/2013 CFC SECTION 101.1 IN ITS ENTIRETY TO READ AS FOLLOWS:**

**101.1 Title.** These regulations shall be known as the City of Gilroy Fire Code, hereinafter referred to as 'this code'.

**REASON FOR AMENDMENT:** The International Fire Code provides for the local agency to insert appropriate language to identify this as the City of Gilroy Fire Code.

**AMEND THE 2012 IFC/2013 CFC SECTION 103.1 IN ITS ENTIRETY TO READ AS FOLLOWS:**

**103.1 General.** The Fire Marshal carries out the functions of the fire code official on behalf of and under the direction of the Fire Chief and implements, administers and enforces the provisions of this code. The Fire Marshal's office is established within the City of Gilroy as the office of Fire Prevention and is located in the Building, Life and Environmental Safety Division, of the Community Development Department.

**REASON FOR AMENDMENT:** The International Fire Code creates a department of fire prevention and the term "fire code official" is used throughout. The amendment inserts appropriate language that is consistent with the current structure of the Fire Marshal function in Gilroy. This maintains the current status of the Gilroy fire prevention program.

**AMEND THE 2012 IFC/2013 CFC SECTION 105.6.20 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**105.6.20 Hazardous Materials.** An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in tables 105.6.8, 105.6.10, and 105.6.20. This includes radioactive materials with more than one microcurie (37,000 becquerel) of radioactive material not contained in a sealed source or more than 1 millicurie (37,000,000 becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which a specific licenses from the Nuclear Regulatory Commission is required. When any material is deemed by the State of California to be listed on a hazardous materials business plan pursuant to California Health and Safety Code Chapter 6.95 and is present at any time in excess of in quantities in excess of 55 gallons, 500 lbs or 200 cuft a permit is required. When any quantity of material, defined as hazardous waste in the California Code of Regulations (CCR) Title 22, shall require a permit.

**REASON FOR AMENDMENT:** To maintain the current permit structure used to regulate radioactive materials and to stay consistent with the definitions used State Health and Safety Code Chapter 6.95, Section 25500-25520, Hazardous Materials.

**AMEND THE 2012 IFC/2013 CFC SECTION 105.7.25 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**105.6.25 Lumber yards and wood working operations.** An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet per year or to conduct woodworking operations involving mass production or involving more than one of each type of machine, or where machines are used continuously (as opposed to intermittently) or substantial products of sawdust may be a problem. See Chapter 19.

**REASON FOR AMENDMENT:** The underlined text is a Gilroy amendment to maintain and continue the existing permit process in order to regulate combustible dust producing woodworking operations as described in Chapter 19 of the Fire Code.

**AMEND THE 2012 IFC/2013 CFC SECTION 105.6.46 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**105.6.46 Wood products.** An operational permit is required to store chips, hogged material, lumber, plywood, logs, firewood or pallets in excess of 200 cubic feet (6m<sup>3</sup>).

**REASON FOR AMENDMENT:** The underlined text is a Gilroy amendment to include large quantities of wood including logs, firewood and pallets to the scope of wood products that can pose serious fire fighting problems. This clarifies that wood products would include logs, firewood, and pallets in excess of 200 cubic feet.

**AMEND THE 2012 IFC/2013 CFC SECTION 109.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**109.3 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 the provisions of this code, shall be guilty of a misdemeanor; provided, however, that where the City Attorney or his or her duly authorized agents has determined that such action would be in the best interest of justice, the City Attorney may specify in the accusatory pleading, citation or amendment thereto that the violation shall be prosecuted as an infraction. Infraction fines are implemented pursuant to Gilroy City Code Section 1.7. Each day that a violation continues after due notice has been served shall be deemed a separate offence.

**REASON FOR AMENDMENT:** To identify the method and types of enforcement processes to be used to enforce the code. The model code requires the local agency to insert appropriate language. The language provided is consistent with the current code and procedures.

**AMEND THE 2012 IFC/2013 CFC SECTION 111.4 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except as such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100 and not more than \$1000.

**REASON FOR AMENDMENT:** The model code requires the local agency to insert appropriate fine amounts. The language provided is consistent with the current code and procedures. The amount inserted is consistent with the City's Administrative Citation amounts.

**AMEND THE 2012 IFC/2013 CFC SECTION 202, AMEND THE DEFINITIONS OF CONTINUOUS GAS DETECTION SYSTEM, SECONDARY CONTAINMENT, AND WORKSTATION, TO READ IN THEIR ENTIRETY AS FOLLOWS:**

**CONTINUOUS GAS DETECTION SYSTEM.** A gas detection system where the analytical instrument is maintained in continuous operation and sampling is performed without interruption. Analysis is allowed to be performed on a cyclical basis at intervals not to exceed 30 minutes. In occupied areas where air is recirculated and not exhausted, the fire code official 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.

**SECONDARY CONTAINMENT.** Secondary containment is that level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a

period of time reasonably necessary to ensure detection and remedy of the primary containment failure.

**WORKSTATION.** A defined space or independent piece of equipment using hazardous materials HPM within a fabrication area where a specific function, laboratory procedure or research activity occurs. *Approved or listed* hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a work station are included as part of the work station. A workstation is allowed to contain ventilation equipment, fire protection devices, detection devices, electrical devices and other processing and scientific equipment.

**REASON FOR AMENDMENT:** To maintain the definitions used to regulate Hazardous Materials and Hazardous Materials Occupancies as used in the City's Hazardous Materials Ordinance and to stay consistent with the agencies within Santa Clara County as well as the definitions used State Health and Safety Code Chapter 6.95, Section 25500-25520, Hazardous Materials.

**AMEND THE 2012 IFC/2013 CFC SECTION 202 BY ADDING NEW DEFINITIONS CORROSIVE LIQUID, MODERATELY TOXIC GAS, MAXIMUM THRESHOLD QUANTITY (MAX TQ), AND OTHER HEALTH HAZARD MATERIAL TO READ AS FOLLOWS:**

**CORROSIVE LIQUID.** Corrosive liquid is

- 1) any liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action;
- 2) any liquid having a pH of 2 or less or 12.5 or more;
- 3) any liquid classified as corrosive by the U.S. Department of Transportation; and
- 4) any material exhibiting the characteristics of corrosivity in accordance with Title 22, California Code of Regulations §66261.22.

**MODERATELY TOXIC GAS.** A chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

**MAXIMUM THRESHOLD QUANTITY (MAX TQ).** Maximum Threshold Quantity (Max TQ) is the maximum quantity of a moderately toxic or toxic gas, which may be stored in a single vessel before a more stringent category of regulation is applied. The following equation shall be used to calculate the Max TQ:

$$\text{Max TQ (pounds)} = \text{LC50 (ppm)} \times 2 \text{ lb.}$$

For gas mixtures containing one or more toxic, highly toxic or moderately toxic components, LC50 shall be calculated using CGA Standards P-20 and P-23 as referenced in Appendix E, Section 103.1.3.1

**OTHER HEALTH HAZARD MATERIAL.** A hazardous material which affects target organs of the body, including but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage), sensitizers or teratogens (effect on fetuses).

**REASON FOR AMENDMENT:** To maintain the definitions used to regulate Hazardous Materials and Hazardous Materials Occupancies as used in the City's Hazardous Materials Ordinance and to stay consistent with the agencies within Santa Clara County as well as the definitions used State Health and Safety Code Chapter 6.95, Section 25500-25520, Hazardous Materials.

**AMEND THE 2012 IFC/2013 CFC SECTION 311.16 BY REMOVING SECTIONS NOS. 315.5.4 AND 3.11.5.5 IN THEIR ENTIRETY**

**REASON FOR AMENDMENT:** The placarding symbols provided in these sections are not consistent with what is used by Fire Departments in Santa Clara County and were deemed to be confusing. This is a County-wide amendment.

**AMEND THE 2012 IFC/2013 CFC SECTION 316 BY ADDING SECTION 316.7 TO READ IN ITS ENTIRETY 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.

**REASON FOR AMENDMENT:** This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment is to protect emergency responders where there are interior openings such as interior court yards and sky light openings that extend to the roof. Guard rails will prevent firefighters from falling from the building, especially at night.

**AMEND THE 2012 IFC/2013 CFC SECTION 403.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**403.3 Crowd Managers.** Trained crowd managers shall be provided for facilities or events when required by the Police Department and Fire Marshal under Public Assembly or Special Events Permits. The number shall be established by the Police Department and Fire Marshal based on an evaluation of level of public safety needs for the specific event or activity.

**REASON FOR AMENDMENT:** This is a Gilroy Fire recommended amendment. The amendment allows for the current Public Assembly and Special Event permit process to evaluate the need for and number of crowd managers.

**AMEND THE 2012 IFC/2013 CFC SECTION 404.2 BY DELETING THE SECTION IN ITS ENTIRETY.**

**REASON FOR AMENDMENT:** This is a Gilroy Fire amendment and also a deletion recommended by the Santa Clara County Fire Chiefs. The section contains designated occupancies that require fire safety and evacuation plans that conflict with other State mandated emergency planning requirements.

**AMEND THE 2012 IFC/2013 CFC SECTION 404.3. TO READ IN ITS ENTIRETY AS FOLLOWS:**

**404.3 Contents.** Fire safety and evacuation plan contents be in accordance with Sections 404.3.1 and 404.3.2 and other provisions as deemed necessary by the Fire Chief. A map or diagram of the facility, building(s), and site or campus may be required that includes preplan information for as requested for use by fire responders.

**REASON FOR AMENDMENT:** This is a Gilroy Fire amendment that allows for additional information as required if requested by the Fire Chief. It allows the Fire Chief to require that diagrams or maps be provided for fire responder preplanning.

**AMEND THE 2012 IFC/2013 CFC SECTION 404.3.3 BY DELETING THE SECTION AND ITS SUBSECTIONS IN THEIR ENTIRETY.**

**REASON FOR AMENDMENT:** This is a Gilroy Fire amendment and also a deletion recommended by the Santa Clara County Fire Chiefs. The section contains Lockdown planning requirements that conflict with State mandates.

**AMEND THE 2012 IFC/2013 CFC SECTION 406 BY DELETING THE SECTION AND ITS SUBSECTIONS IN THEIR ENTIRETY**

**REASON FOR AMENDMENT:** This is a Gilroy Fire amendment and also a deletion recommended by the Santa Clara County Fire Chiefs. The section contains requirements that conflict with State mandates.

**AMEND THE 2012 IFC/2013 CFC SECTION 408.2 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**408.2 Group A occupancies.** When required by the Fire Code Official Group A occupancies shall provide a seating plan to verify compliance with aisle widths and exiting. ~~comply with the requirements of Section 408.2.1 and 408.2.2 and Sections 401 through 406.~~

**REASON FOR AMENDMENT:** This is a Gilroy Fire amendment which allows for flexibility between the Fire Department needs. The sections struck out conflict with existing State mandates, but leaves the ability to request a seating plan to assist the Fire Marshal in assessing adequate exiting.

**AMEND THE 2012 IFC/2013 CFC BY DELETING SECTION NOS. 408.3.3 THROUGH 408.11.3 IN THEIR ENTIRETY:**

**REASON FOR AMENDMENT:** These sections conflict with existing State Mandates. The Santa Clara County Fire Chiefs code adoption committee also recommended deletion.

**AMEND THE 2012 IFC/2013 CFC SECTION 503.1. TO READ IN ITS ENTIRETY AS FOLLOWS:**

**503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.2 and as per the Gilroy City Streets Standards.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs, further modified to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards.

**AMEND THE 2012 IFC/2013 CFC SECTION 503.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.2 and as per the Gilroy City Streets Standards

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs, further modified to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 503.1.2.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**503.1.2.1 Additional Access Thresholds.** Fire apparatus access roadways to buildings or building projects shall be reviewed and approved by the fire code official. Thresholds for additional access are as follows:

a. For areas that are residential, there shall be a minimum of two approved fire access roadways when there are more than 30 one- and two- family residential units , or more than 100 multi-family residential units. The Fire Code Official will

determine secondary access needs for dwellings in the Wildland Urban Interface Fire Area. In no case will more than 10 dwellings exist without a secondary fire access roadway.

b. For Commercial and Industrial Developments when a buildings exceeding 3 stories or 30 ft in height shall have at least two means of fire apparatus access for each structure. When there is an individual building exceeding 62,000 sq ft in area it shall be provided with two separate access roadways to access the structure. When a building project or complex exceeds 120,000 sq ft of total building area it shall be provided with two separate and approved access roadways to the project or complex.

**REASON FOR AMENDMENT:** Pursuant to Section 503.1.2 the fire code official is authorized to determine when more than one fire apparatus access road is required. This is a Gilroy Fire amendment to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards. This amendment provides the thresholds used by the Gilroy Fire Department for setting secondary access.

**AMEND THE 2012 IFC/2013 CFC SECTION 503.2.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), and an unobstructed vertical clearance of 13 feet 6 inches (4115 mm). Fire apparatus access road width shall be increased to 26 ft in width and minimum distance of 30 ft from Buildings when the building is 3 stories or greater.

**Exceptions:**

1. 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.

2. When an approved security gate is installed in accordance with Section 503.6, the gate may be less than 20 ft if approved by the fire code official.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs, further modified to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards.

**AMEND THE 2012 IFC/2013 CFC SECTION 503.2.5 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**503.2.5 Dead Ends.** Dead-end fire apparatus access roads in excess of 150 feet (45m720 mm) in length shall be provided with an approved **turn-around** area for turning around the fire apparatus. **The turn-around shall be consist of a bulb shaped cul-de-sac that accommodates the fire apparatus turning radius. Parking of vehicles within the fire apparatus turning radius shall not be permitted. Obstructions by fences or gates that may interfere with the use of turn-around are not permitted. Fire apparatus turn-arounds shall be posted as Fire Turn-Around and parking restrictions enforced with red painted curbs. Dead end roads in excess of 750 ft require special approval and may be required to have additional apparatus turn outs or greater width.**

Exceptions:

- 1) An alternative design turn around may be approved when the number of units served by the turn-around is less than 10 and the design is one of the published fire apparatus turn around templates.
- 2) In the Residential Hillside Zone alternative designs are allowed when they can be shown to provide a minimum 3 point turn and when approved by the fire code official.

**REASON FOR AMENDMENT:** This is a Gilroy Fire amendment to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards. Pursuant to

Section 503.25 the fire code official is authorized to approve the type of turn around to be provided.

**AMEND THE 2012 IFC/2013 CFC SECTION 503.2.7 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**503.2.7 Grade.** The grade of the fire apparatus road shall not exceed 15% be within limits established by the fire code official based on the fire departments apparatus.

Exceptions:

1. When approved by the Fire Chief for short segments of an access roadway where the grade does not exceed 18% and will not exceed 50 ft in length and will not impede the movement of the fire apparatus.

**REASON FOR AMENDMENT:** The fire code official is authorized to establish the grade for fire apparatus access roads. This is a Gilroy Fire amendment to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards.

**AMEND THE 2012 IFC/2013 CFC SECTION 503.6 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**503.6 Security Gates.** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. When electronic gates are installed across one or more of the fire access roadways they shall be provided with automatic opening devices that can be activated by the fire department during a response to the location. Electric gate operators, where provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to

comply with the requirements of ASTM 2200.

**REASON FOR AMENDMENT:** This is a Gilroy amendment continued from the last code cycle and it is to maintain consistency with current Gilroy Fire Department Policies for use of automatic opening devices for gates to new gated developments where response time is impeded by lack of guard shacks/security staffing. The amendment represents no change from the current standard used by Gilroy

**AMEND THE 2012 IFC/2013 CFC SECTION 503.7 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**503.7 Aerial Fire Apparatus Access Roads.** Where the vertical distance between the grade plane and the highest roof surface exceeds 30 ft (9144m), approved aerial fire apparatus access roads shall be provided. For a pitched roof the measurement of the highest roof surface is to the intersection of the roof to the exterior wall, or the top of a parapet wall, whichever is greater. Aerial fire apparatus access roads shall have a minimum width of 26ft and shall be outside the collapse zone of the building, except there shall be periodic access provided to the aerial apparatus to the immediate vicinity of the building. Such periodic access shall be provided a minimum of every 100 ft and shall provide for a parallel positioning of the aerial apparatus to the building. Overhead utility and power lines shall not be located over the aerial fire apparatus road and the building. When adequate aerial access cannot be provided other means shall be provided by alternate methods and /or materials to compensate for the inadequate access. Such shall include but not be limited to: non-combustible construction components, area separation walls, and specialized access components.

**REASON FOR AMENDMENT:** This is a Gilroy amendment to provide for adequate aerial access for tall structures for the Fire Department. It is based on model language from the International Fire Code Appendix D, which as an appendix is not being adopted. For the Fire Department to be able to use its ladder truck to provide for rescue

from tall buildings there are competing requirements. First the ladder truck has a larger turning radius and requires set up of outriggers. These require that the access roadway be wider.

**AMEND THE 2012 IFC/2013 CFC SECTION 504.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**504.3 Stairway access to roof.** New multi-story buildings four or more stories above-grade-plan, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3-percent slope), shall be provided with a stairway to the roof. Stairway access to the roof shall be in accordance with Section 1009.13. Such stairway shall be marked at the street and floor levels with a sign indicating that the stairway continues to the roof. Where roofs are used for roof gardens or for other purposes, stairways shall be provided as required for such occupancy classification. Large single story buildings may be required to have an exterior ladder when the Fire Chief determines that fire access is needed. When solar panel systems are added to a roof additional access may be required by the Chief. The number and location of roof access stairwells and / or exterior ladders shall be determined by the Fire Chief. Access from stairwells and exterior ladders may be protected from unauthorized access by locking with either KNOX locks or providing a key in the building's KNOX box.

**REASON FOR AMENDMENT:** This is a Gilroy amendment to maintain consistency with the current Gilroy Fire Department Policy for roof access. Roof access may not be possible using current fire apparatus and/or building design. In such cases having an access way to the roof is needed to allow for firefighting operations. Addition of large solar arrays may limit the location that the Fire Department can access a commercial building roof-top. Having an exterior ladder located to provide safe access to the roof would ensure that Fire responders could gain safe access to the roof.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 504.5 TO READ IN ITS ENTIRETY AS FOLLOWS:**

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

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment represents no change from the current standard used by Gilroy for maintaining access to buildings that have security devices (bars etc) that impede emergency access.

**AMEND THE 2012 IFC/2013 CFC SECTION 505.1.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**505.1.1 Illumination.** New buildings shall have illuminated address numbers. Illumination shall be provided throughout the entire period of darkness.

**REASON FOR AMENDMENT:** This is a Gilroy amendment to maintain consistency with current Gilroy Security Ordinance for requiring illuminated addresses for new construction. The amendment represents no change from the current standard used by Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 505.3 to read as follows:**

**505.3 Complex premises identification.** When there are several multi-family units within a development, or single family units do not face a street or where units have an alley as the only driveable access (paseo frontage), an illuminated

site diagram shall be installed at each driveway entrance to the development that shows the location and addresses of all units and the fire system device locations.

**REASON FOR AMENDMENT:** This is a Gilroy amendment to maintain consistency with current Gilroy Security Ordinance for signage for complexes where addressing is confusing due to building and/or street design. Alley type access developments have the units addressed from a street, but the alley is typically perpendicular to the street. This makes identification of the address difficult without having a complex diagram. This amendment represents no change from the current standard used by Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 507.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**507.3 Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method ~~or~~ using Appendix B Table B105.1 . Fire flow for one and two family residential areas shall not be less than 1500 gallons per minute. For other than one-and two- family residences fire flow shall be for the prescribed amount and duration as specified in Table B105.1. A reduction in required fire flow of up to 50% may be allowed when approved by the Fire Chief and when the building is provided with an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire flow shall not be less than 1500 gallons per minute.

**REASON FOR AMENDMENT:** This amendment is to maintain an acceptable fire flow based on the standard fireflow table in Appendix B. The table is published in Appendix B, however the appendix is not adopted as a whole. The amendment requires that the minimum flow be the current Public Works Standard for water supply in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 507.4 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**507.4 Water supply test.** The fire code official shall be notified for a water supply test. Water supply tests shall be conducted or witnessed by the fire code official ~~or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.~~

**REASON FOR AMENDMENT:** The underlined text is added as a Gilroy amendment to maintain consistency with current Gilroy policies and practices. The Fire Marshal's office has the equipment and charges a fee to conduct water flow tests. Persons other than authorized city staff are not to manipulate, tamper with or flow test city fire hydrants without being supervised by city staff. The amendment represents no change from the current standard used by Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 507.5 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**507.5 Fire hydrant systems.** Fire hydrants systems shall comply with sections 507.5.1 through 507.5.6 ~~and appendix C, or by an approved method.~~ Hydrants shall be installed to the City of Gilroy Public Works Standard Details. Private Fire Hydrant systems shall be installed pursuant to NFPA 24 and maintained and tested pursuant to NFPA 25 by the property owner. Private fire hydrant systems shall not share the same water supply lines with a private domestic supply and shall be on its own separate fire water mains.

**REASON FOR AMENDMENT:** The underlined text is added as a Gilroy amendment to maintain consistency with current Gilroy policies and practices.

**AMEND THE 2012 IFC/2013 CFC SECTION 507.5.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**507.5.1 Where required.** Where a portion of the facility, building, or outdoor handling, process or storage area requiring a permit, is hereafter constructed or

moved into or within the jurisdiction, is more than 150 feet 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility, building or outdoor storage area, on-site fire hydrants and mains shall be provided where required by the fire code official. Fire hydrants shall be spaced at intervals of every 300 ft on public and private fire access roadways. The Fire Chief may increase the interval if there are no structures or fire hazards that can be protected from the access roadway. In no case shall the interval exceed 500 ft. When a median or the number of lanes of a street or fire access roadway make it prohibitive to provide fire hydrant access fire hydrants shall be provided on both sides of the street or fire access roadway.

**Exception:**

1. For Group R-3 and Group U occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with section 903.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than 600 feet (183 m). When approved by the Fire Code Official, Group R-3 occupancies in the Gilroy Wildland-Urban Interface Fire Area, may be permitted to install a wet fire hose riser in lieu of a private hydrant if there is a public fire hydrant within 50 ft of the driveway at the street level.

**REASON FOR AMENDMENT:** This amendment is to maintain the current City of Gilroy fire hydrant placement standard. In the hillside areas a wet hose riser provides a remote water supply without burdening a homeowner with the installation and management of a private fire hydrant. The amendment represents no change from the current standard used by Gilroy

**AMEND THE 2012 IFC/2013 CFC SECTION 510 BY ADDING SECTION 510.1.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**510.1.1 Obstruction by new buildings.** When 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.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to maintain emergency responder radio communications. It also supplements the Gilroy Building Security Ordinance.

**ADD TO THE 2012 IFC/2013 CFC SECTION 605.12 TO READ AS FOLLOWS:**

**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.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standard required for immersion heaters. Such heaters without emergency shut off were the cause of several fires prior to its original adoption into the local codes over a decade ago.

**ADD TO THE 2012 IFC/2013 CFC SECTION 608.6.1.1 IN ITS ENTIRETY TO READ AS FOLLOWS:**

**608.6.1.1 Failure of Ventilation System.** Failure of the ventilation system shall automatically disengage the charging system.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. This is to prevent the continued production of

explosive hydrogen gas if the ventilation shuts down. This is an amendment continued from prior code adoptions.

**AMEND THE 2012 IFC/2013 CFC SECTION 806.1.1 IN ITS ENTIRETY TO READ AS FOLLOWS:**

**806.1.1 ~~Restricted occupancies.~~ Natural cut trees shall be prohibited in Group A, E, I 1, I 2, I 3, I 4, M, R-1, R-2 and R-4 Occupancies. 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.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It takes into account the State Fire Marshal requirements for display of Christmas trees and allows for treated cut trees to be displayed in unsprinklered buildings.

**AMEND THE 2012 IFC/2013 CFC SECTION 903.2 IN ITS ENTIRETY TO READ AS FOLLOWS:**

**903.2 Where required.** Approved automatic sprinkler systems, in new and existing buildings and structures including covered parking and storage areas, are to 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 other than residential buildings, which require the installation of a residential fire sprinkler system according to the California Residential Code, an automatic sprinkler system shall be provided throughout all new buildings and structures greater than 1,000 square feet of building area. Any change in use to a residential use shall constitute a new residence and subject the building to the California Residential Code requiring installation of a residential fire sprinkler system.
2. An automatic sprinkler system shall be provided throughout existing Group A, B, E, F, I, L, M, S and U buildings and structures, when additions are made that increase the building area by more than 1000 square feet or that create conditions described in Sections 903.2.1 through 903.2.18.
3. An automatic sprinkler system shall be provided throughout existing Group R occupancies when additions are made that increase the building area by more than 1000 square feet.
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 use" or change in the "occupancy class" of any building, with a building area greater than 1000 square feet, which, in the opinion of the fire code official or building official, would place the building into a more intensified fire or life safety risk, shall require the installation of an approved fire sprinkler system.

REASON FOR AMENDMENT: This is based on a county-wide amendment recommended by the Santa Clara County Fire Chiefs. Each city in Santa Clara County has included their existing local threshold for when automatic fire sprinklers are required

in new or existing commercial structures or existing residential structures. This amendment maintains the current Gilroy threshold adopted in 2006 of 1,000 sq. ft. to be used in Gilroy for new, expanded or change in used for commercial structures and additions to residential structures. The California Residential Building code requires all new residential structures, regardless of size to be fire sprinklered. The amendment maintains the status quo for fire sprinkler systems in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 903.1.1 IN ITS ENTIRETY TO READ AS FOLLOWS:**

**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 ~~as amended in Chapter 37~~ except as provided in Section 903.3.1.1 and local standards. For new buildings having no designated use or tenant, the minimum sprinkler design density shall be Ordinary Hazard Group 2. Where future use or tenant is determined to require a higher density, the sprinkler system shall be augmented to meet the higher density.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to provide a consistent standard for commercial fire sprinkler system design throughout the County. This amendment maintains the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 903.3.1.2 IN ITS ENTIRETY TO READ AS FOLLOWS:**

**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. Local standards are

established to provide the Fire Chief with reasonable means to provide protection to multi-family buildings and hotel structures. These include that all concealed spaces and attic spaces be protected and as amended in Chapter 47.

**REASON FOR AMENDMENT:** This amendment maintains the language that the system is subject to the current standard used in Gilroy and includes the two essential local requirements.

**AMEND THE 2012 IFC/2013 CFC SECTION 903.3.1.3 IN ITS ENTIRETY BY TO READ AS FOLLOWS:**

**903.3.1.3 NFPA 13D sprinkler systems.** Automatic sprinkler systems installed in one-and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and local standards. A signaling device shall be installed on the exterior and interior of the dwelling. The riser shall be located inside of the garage or an approved protective enclosure. 13D systems shall have an acceptance test that includes the flowing of the system to show that the required gallons per minute and minimum residual pressures are maintained.

**REASON FOR AMENDMENT:** This amendment maintains the current local standards used in Gilroy. Residential systems do not need to be monitored, however if there is not a signaling device to warn the occupant or community the fire sprinkler system can operate for an unwanted period of time. To protect the riser from damage or tampering they have been approved only in a protected area. To ensure that the system functions correctly the system is to be flowed at the final acceptance to ensure that it does meet the required flow and pressure to be effective. This amendment maintains the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 3304.8 TO READ AS FOLLOWS:**

**3304.8 Fire Walls.** When firewalls are required in combustible construction, 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).

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to provide a consistent standard for ensuring that fire walls are completed during building construction to provide a level of fire limiting protection prior to the fire sprinkler system installation. This amendment was first added to the code after the Santana Row Fire disaster occurred in San Jose. This maintains the same requirement from prior code adoption cycle.

**AMEND THE 2012 IFC/2013 CFC SECTION 3311.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**[B] 3311.1 Stairways Required.** ~~Where a building has been constructed to a height greater than 50 feet (15,240 mm) or four stories, or where an existing building exceeding 50 feet (15,240 mm) in height is altered, at least one temporary lighted stairway shall be provided unless one or more of the permanent stairways are erected as the construction progresses shall be provided unless one or more of the permanent stairways are erected as the construction progresses.~~ 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.).

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to provide a consistent standard for ensuring that fire walls are completed during building construction to provide a exit stairways during the construction of any multi-story building. This amendment was first added to the code after the Santana Row Fire disaster occurred in San Jose. This maintains the same requirement from prior code adoption cycle.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 3311.1.1 TO READ 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 see Section 3308.2.**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to provide a consistent standard for ensuring that fire walls are completed during building construction to provide a means of egress during a building's construction. This amendment was first added to the code after the Santana Row Fire disaster occurred in San Jose. This maintains the same requirement from prior code adoption cycle.

**AMEND THE 2012 IFC/2013 CFC SECTION 4905.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**4905.3 Establishment of limits.** The establishment of limits for the Wildland-Urban Interface Area's required construction methods shall be designated pursuant to the California Public Resources Code for State Responsibility areas, and in the City of Gilroy the areas designated as Residential Hillside (RH) zoning

are so designated based on their topography, vegetation, climatic and proximity to State Responsibility areas which make these methods necessary for effective fire protection within this area. The Residential Hillside Zoning areas are designated as the “City of Gilroy Wildland-Urban Interface Fire Area” and subject to the construction methods of Section 4905.2.

**REASON FOR AMENDMENT:** The model code requires the local agency to insert appropriate language to identify the area designated as Wildland Urban Interface Fire Area. The city zoning code establishes the RH – Residential Hillside Zoning District. These areas are adjacent to the State Responsibility Areas (SRA), are in heavily vegetated, steep and limited access areas, with large areas of unmanaged vegetation.

**AMEND THE 2012 IFC/2013 CFC SECTION 4906.2 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**4906.2 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
1. Land designated as a Very-High Fire Hazard Severity Zone or designated “City of Gilroy Wildland-Urban Interface Fire Area” as established in Section 4905.3.
2. Areas designated as High Fire Hazard Severity Zones and adjacent to “City of Gilroy Wildland-Urban Interface Fire Area” may be subject to all or part of the hazardous vegetation and fuel management requirements when determined

necessary by the Fire Chief.

**REASON FOR AMENDMENT:** The model code requires the local agency to insert appropriate language to identify the areas where vegetation and fuel management is applicable.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 4906.3.1 TO READ AS FOLLOWS:**

**4906.3.1 Prohibited Plants.** The Fire Chief may designate plants that are prohibited from being used in landscaping in the City of Gilroy Wildland Urban Interface Fire areas or areas adjacent to those areas pursuant to Section 4906.2. The prohibited plants list shall be available from the Fire Code Official, Building Permit Office, and each Fire Station. The list shall be updated from time to time by the Fire Chief.

**REASON FOR AMENDMENT:** This is a Gilroy Fire amendment to include the existing Prohibited Plant Policy that has been in effect in the Residential Hillside Areas. This amendment maintains the same list and procedure for limiting vegetation that can create an unmanageable fire protection situation during a wildfire.

**AMEND THE 2012 IFC/2013 CFC SECTION 4907.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**4907.1 General.** Defensible space will be maintained around all buildings and structures in State 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) and in the City of Gilroy Wildland-Urban

Interface Fire Area shall maintain defensible space as outlined in Government Code 51175 – 51189.

Defensible space shall also be provided around water tank structures, water supply pumps and pump houses and ground mounted solar panel arrays.

Persons owning, leasing, controlling, operating or maintaining buildings or structures in the City of Gilroy 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 deemed necessary to stabilize the soil and prevent erosion may be managed in a way accepted by the Fire Code Official without total removal.

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 10 feet around liquefied petroleum gas tanks/containers.
7. 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 combustible material within 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).
8. Clear areas within 10 feet (3048 mm) of fire apparatus access roads and driveways to of non-fire-resistive vegetation growth.

Exception: Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and deemed necessary to stabilize the soil and prevent erosion may be managed in a way accepted by the Fire Code Official without total removal.

**REASON FOR AMENDMENT:** The model code provides for the local agency to insert appropriate language to identify the location and criteria for maintaining defensible space areas where vegetation and fuel management is applicable. Portions of this were part of the Santa Clara County Fire Chiefs Countywide amendments.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 4908 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**SECTION 4908**  
**FIRE PROTECTION PLAN**

**4908.1 General.** When required by the fire code official, a fire protection plan shall be prepared.

**4908.2 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.

**4908.3 Cost.** The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

**4908.4 Plan Retention.** The fire protection plan shall be retained by the fire code official and shall be maintained by the Property Owner and any HOA or Property Management Company .

**REASON FOR AMENDMENT:** This section is part of the Santa Clara County Fire Chiefs Countywide amendments.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 4909 TO READ AS FOLLOWS:**

**SECTION 4909**  
**IGNITION SOURCE CONTROL**

**4909.1 Fireworks.** Fireworks shall not be used or possessed in the Gilroy Wildland-Urban Interface Fire Area or in those areas designated pursuant to 4906.2(3) as presenting a proximity to Gilroy Wildland-Urban Interface Fire Areas.

**4909.2 Wood Burning.** Wood shall not be used in outdoor fire places, outdoor fire pits, or outdoor BBQ's in the Gilroy Wildland-Urban Interface Fire Area.

**4909.3 Off Road Motorized Vehicles.** Motorized vehicles shall not be operated on unpaved paths or roadways and going through brush covered areas in Gilroy Wildland-Urban Interface Fire Areas. The Fire Chief may require that access to open spaces by off road vehicles be managed by property owners.

**Exception:** Local, State and Federal Agency Vehicles on official business in the areas, or property owners or contractors that are provided consent by a property owner in order to conduct property maintenance or construction activities. Such activities shall be done with care to prevent hot vehicle parts from contacting dry or dead grass or brush.

**REASON FOR AMENDMENT:** This is a Gilroy Fire amendment to include the existing policies that has been in effect in the Residential Hillside and adjacent areas under the Fire Department Policies for Hazardous Fire Areas. The Hazardous Fire Area is now replaced with the Wildland Urban Interface Fire Area. This amendment maintains the same policies for limiting sources of ignition that can create an unmanageable fire risk in the WUI areas. It also includes a prohibition for off-road vehicles that are often found to be using the undeveloped areas in the Residential Hillside areas for recreational purposes, creating a fire risk in areas where there is limited or no water supply or access to the Fire Department.

**AMEND THE 2012 IFC/2013 CFC SECTION 5001.2.2.2 IN ITS ENTIRETY TO READ AS FOLLOWS:**

**5001.2.2.2 Health Hazards** The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.

1. Highly toxic an toxic materials.
2. Corrosive materials.
3. Moderately toxic gas.
4. Other health hazards.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 5003.1.3.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5003.1.3.1 Toxic, Highly Toxic, Moderately Toxic Gases And Similarly Used Or Handled Materials.** The storage, use and handling of toxic, highly toxic and moderately toxic gases in amounts exceeding Table 6004.2 or 6004.3 shall be in accordance with this chapter and Chapter 60. Any toxic, highly toxic or moderately toxic material that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic or moderately toxic gases.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 5003.1.5 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5003.1.5 Other Health Hazards.** The storage, use and handling of materials classified as other health hazards including carcinogens, irritants and sensitizers in amounts exceeding 810 cubic feet for gases, 55 gallons for liquids and 5,000 pounds for solids shall be in accordance with Section 5003.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 5003.1.6 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5003.1.6 Spill Control and Secondary Containment Requirements.** A containment system shall be required for all hazardous materials, which are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger people, property or the environment. Construction shall be substantial, capable of safely and securely containing a sudden release without discharge. Design criteria shall be performance oriented and constructed of physically and chemically compatible materials to resist degradation and provide structural and functional integrity for a period of time reasonably necessary to ensure detection, mitigation, and repair of the primary system. Regardless of quantities, spill control and secondary containment shall also comply with Section 5004.2.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with

the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 5003.2.2.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5003.2.2.1 Design and Construction.** Piping, tubing, valves, fittings and related components used for hazardous materials shall be in accordance with the following:

1. Piping, tubing, valves, fittings and related components shall be designed and fabricated from materials compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they are subject.
2. Piping and tubing shall be identified in accordance with ASME A13.1 and the Santa Clara County Fire Chiefs Marking Requirements and Guidelines for Hazardous Materials and Hazardous Waste to indicate the material conveyed.
3. Readily accessible manual valves or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing at the following locations:
  1. The point of use.
  2. The tank, cylinder or bulk use.
4. Manual emergency shutoff valves and controls for remotely activated emergency shutoff valves shall be identified and the location shall be clearly visible accessible and indicated by means of a sign.
5. Backflow prevention or check valves shall be provided when the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.
6. Where gases or liquids having a hazard ranking of:
  - Health hazard Class 3 or 4
  - Flammability Class 4

#### Reactivity Class 4

in accordance with NFPA 704 are carried in pressurized piping above 15 pounds per square inch gauge (psig)(103 Kpa), an approved means of leak detection, emergency shutoff and excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical.

#### **Exceptions:**

1. Piping for inlet connections designed to prevent backflow.
2. Piping for pressure relief devices.
7. Secondary containment or equivalent protection from spills shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Tables 6004.2 and 6004.3. Secondary containment includes, but is not limited to double walled piping.

#### **Exceptions:**

1. Secondary containment is not required for toxic corrosive gases if the piping is constructed of inert materials.
2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.
8. Expansion chambers shall be provided between valves whenever the regulated gas may be subjected to thermal expansion. Chambers shall be sized to provide protection for piping and instrumentation and to accommodate the expansion of regulated materials.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance, Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in

the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 5003.2.2.2 TO READ IN ITS ENTIRETY TO READ AS FOLLOWS:**

**5003.2.2.2 Additional Regulation for Supply Piping for Health Hazard Materials.** Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 shall be in accordance with ASME B31.3 and the following:

1. Piping and tubing utilized for the transmission of toxic, highly toxic, or highly volatile corrosive liquids and gases shall have welded, ~~threaded~~ or ~~flanged~~ brazed connections throughout except for connections within an ventilated exhausted enclosure if the material is a gas, or an approved method of drainage or containment is provided for connections if the material is a liquid.
2. Piping and tubing shall not be located within corridors, within any portion of a means of egress required to be enclosed in fire-resistance-rated construction or in concealed spaces in areas not classified as Group H Occupancies.

**EXCEPTION:**

Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed space above other occupancies when installed in accordance with Section 415.8.6.3 of the California Building Code as required for Group H, Division 5 Occupancies.

3. All primary piping for toxic, highly toxic and moderately toxic gases shall pass a helium leak test of  $1 \times 10^{-9}$  cubic centimeters/second where practical, or shall pass testing in accordance with an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of

the Santa Clara County Hazardous Materials Ordinance, Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 5003.3.1 TO READ IN ITS ENTIRETY TO READ AS FOLLOWS:**

**5003.3.1 Unauthorized Discharges.** When hazardous materials are released in quantities reportable under state, federal or local regulations or when there is release or a threatened release that presents a threat to health, property or the environment, the fire code official shall be notified immediately in an approved manner and the following procedures required in accordance with Sections 5003.3.1.1 through 5003.3.1.4.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance, Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 5003.5.2 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5003.5.2 Ventilation Ducting.** Product conveying ducts for venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of

the Santa Clara County Hazardous Materials Ordinance, Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 5003.5.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5003.5.3 "H" Occupancies.** In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance, Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 5003.9.11 TO READ IN ITS ENTIRETY 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 500ml.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance, Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 5004.2.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5004.2.1 Spill Control for Hazardous Material Liquids.** Rooms, buildings or areas used for storage of hazardous material liquids ~~in individual vessels having a capacity of more than 55 gallons (208 L) or in which aggregate capacity of multiple vessels exceeds 1,000 gallons (3785 L),~~ shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor locations or similar areas provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems.
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills or dikes are provided, they are not

required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance, Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 5004.2.2 TO READ IN ITS ENTIRETY TO READ AS FOLLOWS:**

**5004.2.2 Secondary Containment for Hazardous Material Liquids and Solids.** Buildings, rooms or areas used for the storage of hazardous materials liquids or solids shall be provided with secondary containment in accordance with this section. when the aggregate capacity of the multiple vessels exceeds the following:

1. Liquids: Capacity of an individual vessel exceeds 55 gallons (208 L) or the aggregate capacity of multiple vessels exceeds 1,000 gallons (3785 L); and
2. Solids: Capacity of an individual vessel exceeds 550 pounds (250 kg) or the aggregate capacity of multiple vessels exceeds 10,000 pounds (4540 kg).

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance, Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY DELETING TABLE 5004.2.2 IN ITS ENTIRETY**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 5004.2.2.2 TO READ IN ITS ENTIRETY TO READ AS FOLLOWS:**

**5004.2.2.2 Incompatible Materials.** Incompatible materials used ~~in open systems~~ shall be separated from each other in the independent secondary containment systems.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance, Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 5601.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5601.1 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 possession, storage and use of small arms ammunition when packaged in accordance with DOTn packaging requirements.~~
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.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment adds the existing California Code of Regulations (CCR), Title 19 language into the Chapter instead of just referring to the CCR Title 19 since it is difficult for persons to access the CCR Title 19 language online.

**AMEND THE 2012 IFC/2013 CFC CHAPTER 56 BY ADDING THE FOLLOWING SECTIONS TO READ IN THEIR ENTIRETY AS FOLLOWS:**

**5601.2 Explosives.** The possession, manufacture, storage, sale, handling, and use of explosives are prohibited.

**5601.3 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.

3. The sale and use of Safe and Sane Fireworks pursuant to Gilroy City Code Section 10.A.

**5601.4 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.

**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.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment adds the existing California Code of Regulations (CCR), Title 19 language into the Chapter instead of just referring to the CCR Title 19 since it is difficult for persons to access the CCR Title 19 language online. Section 5601.3 Exception 3 adds the reference to the legal use of Safe and Sane Fireworks pursuant to the Gilroy City Code. This exception maintains that safe and sane fireworks may be stored, used and sold during the 4<sup>th</sup> of July and in conformance to Chapter 10A of the Gilroy City Code.

**AMEND THE 2012 IFC/2013 CFC SECTION 5704.2.7.5.8 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5704.2.7.5.8 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 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.

~~**Exception:** Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less.~~

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 5704.2.7.5.9 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**5704.2.7.5.9 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.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6001.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6001.3 Moderately Toxic Gases With a LC50 Equal To Or Less Than 3000 Parts Per Million.** Notwithstanding the hazard class definition in Section 3702, moderately toxic gases with an LC50 less than 3000 parts per million shall additionally comply with the requirements for toxic gases in Section 6004 of this code.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004 TO READ IN ITS ENTIRETY AS FOLLOW**

**SECTION 6004 HIGHLY TOXIC, TOXIC AND MODERATELY TOXIC**

## **COMPRESSED GASES INCLUDING THOSE USED AS REFRIGERANTS.**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.4 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.4 Automatic Shut-Off Valve. An automatic shut-off valve, which is of a fail-safe to close design, shall be provided to shut off the supply of highly toxic gases for any of the following:**

1. Activation of a manual fire alarm system.
2. Activation of the gas detection system.
3. Failure of emergency power.
4. Failure of primary containment.
5. Seismic activity.
6. Failure of required ventilation.
7. Manual activation at an approved remote location.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include

provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.5 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.5 Emergency Control Station. Signals from emergency equipment used for highly toxic gases shall be transmitted to an emergency control station or other approved monitoring station, which is continually staffed by trained personnel.**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.6 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.6 Maximum Threshold Quantity. Toxic gases stored or used in quantities exceeding the maximum threshold quantity in a single vessel per control area or outdoor control area shall comply with the additional requirements for highly toxic gases of Section 3704 of this code.**

**Moderately toxic gases stored or used in quantities exceeding the maximum threshold quantity in a single vessel per control area or outdoor control area shall comply with the additional requirements for toxic gases of Section 3704 of this code.**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.7 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.7 Reduced Flow Valve.** All containers of materials other than lecture bottles containing Highly Toxic material and having a vapor pressure exceeding 29 psia shall be equipped with a reduced flow valve when available. If a reduced flow valve is not available, the container shall be used with a flow-limiting device. All flow limiting devices shall be part of the valve assembly and visible to the eye when possible; otherwise, they shall be installed as close as possible to the cylinder source.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.8 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.8 Fire Extinguishing Systems.** Buildings and covered exterior areas for

storage and use areas of materials regulated by this Chapter shall be protected by an automatic fire sprinkler system in accordance with NFPA 13. The design of the sprinkler system for any room or area where highly toxic, toxic and moderately toxic gases are stored, handled or used shall be in accordance with Section 5004.5.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.9 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.9 Local Gas Shut Off. Manual activation controls shall be provided at locations near the point of use and near the source, as approved by the fire code official. The fire code official may require additional controls at other places, including, but not limited to, the entry to the building, storage or use areas, and emergency control stations. Manual activated shut-off valves shall be of a fail-safe-to-close design.**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.10 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.10 Exhaust Ventilation Monitoring.** For highly toxic gases and toxic gases exceeding threshold quantities, a continuous monitoring system shall be provided to assure that the required exhaust ventilation rate is maintained. The monitoring system shall initiate a local alarm. The alarm shall be both visual and audible and shall be designed to provide warning both inside and outside of the interior storage, use, or handling area.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.11 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.11 Emergency Response Plan.** If the preparation of an emergency response plan for the facility is not required by any other law, responsible persons shall prepare, or cause to be prepared, and filed with the fire code official, a written emergency response plan. If the preparation of an emergency response plan is required by other law, a responsible person shall file a copy of the plan with the fire code official.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and

maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.12 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.12 Cylinder Leak Testing. Cylinders shall be tested for leaks immediately upon delivery and again immediately prior to departure. Testing shall be approved by the fire code official in accordance with appropriate nationally recognized industry standards and practices, if any. Appropriate remedial action shall be immediately undertaken when leaks are detected**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.13 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.13 Inert Gas Purge System. Gas systems shall be provided with dedicated inert gas purge systems. A dedicated inert gas purge system may be used to purge more than one gas, provided the gases are compatible. Purge gas systems inside buildings shall be located in an approved gas cabinet unless the system operates by vacuum demand.**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6004.1.14 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.1.14 Seismic Shutoff Valve.** An automatic seismic shut-off valve, which is of a fail-safe to close design, shall be provided to shutoff the supply of highly toxic, toxic and moderately toxic gases with an LC<sub>50</sub> less than 3000 parts per million upon a seismic event within 5 seconds of a horizontal sinusoidal oscillation having a peak acceleration of 0.3G (1.47m/sec<sup>2</sup>) and a period of 0.4 seconds.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.2 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.2 Indoor Storage and Use.** The indoor storage or use of highly toxic, and toxic and moderately toxic compressed gases shall be in accordance with Sections 6004.2.1 through 6004.2.2.10.3.3. The threshold quantity for highly

toxic, toxic and moderately toxic gases for indoor storage and use are set forth in Table 6004.2.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING TABLE 6004.2 TO READ IN ITS ENTIRETY AS FOLLOWS:**

<b><u>Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Indoor Storage and Use</u></b>	
<b><u>Highly Toxic</u></b>	<b><u>0</u></b>
<b><u>Toxic</u></b>	<b><u>10 cubic feet</u></b>
<b><u>Moderately Toxic</u></b>	<b><u>20 cubic feet</u></b>

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.2.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.2.1 Applicability.** The applicability of regulations governing the indoor storage and use of highly toxic, moderately toxic, and toxic compressed gases shall be as set forth in Sections

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.2.1.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.2.1.1 Quantities Not Exceeding the Maximum Allowable Quantity per Control Area.** The indoor storage or use of highly toxic, ~~and toxic~~ and moderately toxic gases in amounts exceeding the maximum allowable quantity per control area set forth in ~~Table 5003.1.1(2)~~ Table 6004.2 shall be in accordance with Sections 5001, 5003, 6001, ~~and~~ 6004.1 and 6004.2,

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.2.2 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.2.2 General Indoor Requirements.** The general requirements applicable to the indoor storage and use of highly toxic, moderately toxic and toxic compressed gases shall be in accordance with Sections 6004.2.2.1 through 6004.2.2.10.3.

Moderately toxic gases with an LC<sub>50</sub> less than 3000 parts per million shall comply with the requirements for toxic gases in Sections 6004.2.2.1 through 6004.2.2.10.3

All other moderately toxic gases exceeding the threshold quantity shall comply with the requirements for toxic gases in Sections 6004.2.2.1 through 6004.2.2.7.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.2.2.7 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.2.2.7 Treatment Systems.** The exhaust ventilation from gas cabinets, exhausted enclosures and gas rooms and local exhaust systems required in Section 6004.2.2.4 and 6004.2.2.5 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to

process exhaust ventilation. The treatment system shall be designed in accordance with Sections 6004.2.2.7.1 through 6004.2.2.7.5 and Section 510 of the California Mechanical Code.

**Exceptions:**

1. Highly toxic, ~~and toxic~~ and moderately toxic gases storage. A treatment system is not required for cylinders, containers and tanks in storage when all of the following are provided:

- 1.1. Valve outlets are equipped with gas-tight outlet plug or caps.
- 1.2. Hand wheel-operated valves have handles secured to prevent movement.
- 1.3. Approved containment vessels or containment systems are provided in accordance with Section 6004.2.2.3.

~~2. Toxic gas use. Treatment systems are not required for toxic gases supplied by cylinders or portable tanks not exceeding 1,700 pounds (772 kg) water capacity when the following are provided:~~

~~2.1. A listed or approved gas detection system with a sensing interval not exceeding 5 minutes.~~

~~2.2. A listed or approved automatic closing fail safe valve located immediately adjacent to cylinder or portable tank valves. The fail safe valve shall close when gas is detected at the personal exposure limit (PEL) by a gas detection system monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room. The gas detection system shall comply with Section 6004.2.2.10.~~

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include

provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.2.2.10.2 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.2.2.10.2. Alarms.** The gas detection system shall initiate a local alarm and transmit a signal to a constantly attended control station when a short-term hazard condition is detected. The alarm shall be both visual and audible and shall provide warning both inside and outside the area where the gas is detected. The audible alarm shall be distinct from all other alarms.

**Exception:**

~~Signal transmission to a constantly attended control station is not required where not more than one cylinder of highly toxic or toxic gas is stored.~~

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.3 Outdoor Storage and Use.** The outdoor storage or use of highly toxic, ~~and-toxic~~ and moderately toxic compressed gases shall be in accordance with Sections 6004.3.1 through 6004.3.4. The threshold quantity for highly toxic, toxic and moderately toxic gases for outdoor storage and use are set forth in Table

**6004.3.**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING TABLE 6004.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

<b><u>Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Outdoor Storage and Use</u></b>	
<b><u>Highly Toxic</u></b>	<b><u>0</u></b>
<b><u>Toxic</u></b>	<b><u>10 cubic feet</u></b>
<b><u>Moderately Toxic</u></b>	<b><u>20 cubic feet</u></b>

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.3.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.3.1 Applicability.** The applicability of regulations governing the outdoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 6004.3.1.1 through 6004.3.1.3.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.3.1.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.3.1.1 Quantities Not Exceeding The Maximum Allowable Quantity Per Control Area.** The outdoor storage or use of highly toxic and toxic gases in amounts exceeding the threshold quantity per control area set forth in Table 6004.3 shall be in accordance with Sections 5001, 5003, 6001, 6004.1, and 6004.3.

Moderately toxic gases with an LC50 less than 3000 parts per million in amounts exceeding the threshold quantity in Table 6004.3 shall comply with the requirements for toxic gases in Sections 5001, 5003, 6001, 6004.1 and 6004.3.

Moderately toxic gases in amounts exceeding the threshold quantity in Table 6004.3 shall comply with the requirements for toxic gases in Sections 5001, 5003, 6001, 6004.1 and 6004.3.2.1 through 6004.3.2.5.

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and

maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC SECTION 6004.3.3 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6004.3.3 Outdoor Storage Weather Protection For Portable Tanks and Cylinders.** Weather protection in accordance with Section 5004.13 shall be provided for portable tanks and cylinders located outdoors and not within gas cabinets or exhausted enclosures. The storage area shall be equipped with an approved automatic sprinkler system in accordance with Section ~~903.3.1.1~~ 5004.5.

**Exception:** ~~An automatic sprinkler system is not required when:~~

- ~~1. All materials under the weather protection structure, including hazardous materials and the containers in which they are stored, are noncombustible.~~
- ~~2. The weather protection structure is located not less than 30 feet (9144mm) from combustible materials or structures or is separated from such materials or structures using a fire barrier complying with Section 6004.3.2.1.1.~~

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

**AMEND THE 2012 IFC/2013 CFC BY ADDING SECTION 6405.3.1 TO READ IN ITS ENTIRETY AS FOLLOWS:**

**6405.3.1 Silane distribution systems automatic shutdown. Silane distribution systems shall automatically shut down at the source upon activation of the gas detection system at levels above the alarm level and/or failure of the ventilation system for the silane distribution system.**

**REASON FOR AMENDMENT:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and Toxic Gas Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

#### **SECTION IV**

Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5, the City Council of the City of Gilroy finds that each of the modifications, additions and changes to the aforementioned California Fire Code set forth in Section III of this Ordinance are reasonably necessary because of local climatic, geological or topographical conditions, or to impose proper more stringent standards for fire and panic safety. A copy of these findings, together with the modification or changes shall be filed by the City Clerk with the California Building Standards Commission. Specifically, the City Council finds:

(1) **Climatic Findings.** The precipitation averages 13.86 inches per year. Approximately 90% of the precipitation falls during the months of November through April, and 10% from May through October. Relative humidity drops to 20 or lower during the dry months (summer). Temperatures have been recorded as high as 108 degrees Fahrenheit. This area has been subject to drought. It is anticipated that drought conditions will continue to occur in the future. Such conditions allow natural vegetation and outdoor combustible materials to be in a dry state for a large portion of the year, making them more susceptible to ignition and rapid burning. These conditions combined create high fire danger during the summer and fall months.

(2) Geological Findings. The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. This is especially critical in the facilities housing hazardous materials or occupancies requiring safe and quick evacuation in order to get to a safe location. Early warning of fire, early fire suppression and control of spread are important.

(3) Topographical Findings. A major rail corridor through the central portion of town divides the City. There are no overpasses available within the City boundaries. This can impair response and can serve to isolate the City's Fire Response capability. A major highway also divides the City. There are portions of the City where there is only one overpass to access a substantial geographical area. There are no alternate routes within City boundaries; and

The highway is also part of a major truck transportation route. If an accident, or earthquake makes the overpass un-crossable this will isolate the area and impact response times; and the City has a substantial industrial area within a flood plain. Flooding in the area would isolate the area from the City's Fire Response capability; and

The City has areas that are within hillside and open spaces defined as State Response Areas. The grade and narrow and/or lack of roadways impair the Fire Response to these areas. The presence of large areas of natural vegetation that is dry and highly ignitable during the dry and hot summer and fall months can create increase fire responses and impair fire response to other incidents. Water flow in the hillside areas is impacted as fire flows fall below 1500 gpm; and

The City is a great distance from any large metropolitan area. Response times from the nearest metropolitan fire department is a minimum of half an hour and during traffic periods in excess of 45 minutes. This serves to further isolate

the City and impair Fire Response as there are fewer fire responders in the immediate area. Information on the nature of an incident in a timely manner is of greater importance than in a metropolitan area where a first alarm sends more personnel than the entire on-duty staffing of the Gilroy Fire Department. Measures which provide early fire detection, suppression and prevention of fire spread are warranted based on these findings.

(4) Fire and Panic Safety Findings – Hazardous Materials. Hazardous Materials use, handling and storage present unique emergency response requirements. The Gilroy Fire Department does not have its own hazardous materials team and the nearest mutual aid team is in excess of 45 minutes response time; and

The City of Gilroy relies solely on ground water for water supply and much of the area of Gilroy is in a recharge area. Hazardous Materials Spills can threaten that supply and additional measures are needed to ensure that these materials do not threaten that supply; and

Because Gilroy is remote from the main metropolitan areas, there are fewer ambulance and hospital services available to provide for large numbers of persons with injuries. Hazardous Materials and other intensive industrial uses place a competing burden on the delivery of fire services. Hazardous Material and/or facilities using, storing hazardous materials require additional controls to ensure that such hazards can be controlled; and

(5) Fire and Panic Safety Findings – Automatic Fire Sprinklers. The City's water system is reliable and capable of providing adequate pressures and reliability to allow the use of automatic fire sprinkler systems to be economical and practical to be included in all new construction. Response to fires, medical aid and other disasters can cause the availability of the fire responders to be called to multiple calls and to calls that require more than the number of fire and emergency responders typically on duty. Therefore fire sprinkler systems are relied upon to provide for quick and reliable fire suppression or control. To this end these systems are needed at a lower threshold than the International Codes provide.

These systems also need to be designed to provide quick effective and complete fire protection in their activation in order to minimize the effects of fire and panic.

#### **SECTION V**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Gilroy hereby declares that it would have passed and adopted this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION VI

This Ordinance including the Codes and amendments to the Codes adopted hereunder shall be in full force and effect on January 1, 2014.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GILROY this 18<sup>th</sup> day of November 2013, by the following roll call vote:

AYES: COUNCILMEMBERS: ARELLANO, AULMAN, LEROE-MUÑOZ,  
TUCKER, WOODWARD and GAGE

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: BRACCO

APPROVED:



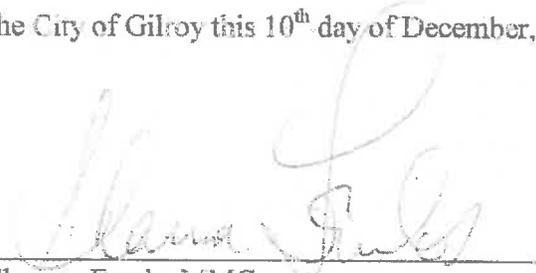
Donald Gage, Mayor

ATTEST:

  
Shawna Freels, City Clerk

I, SHAWNA FREELS, City Clerk of the City of Gilroy, do hereby certify that the attached Ordinance No. 2013-10 is an original ordinance, or true and correct copy of a City ordinance, duly adopted by the Council of the City of Gilroy at a regular meeting of said Council held on the 18<sup>th</sup> day of November, 2013, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this 10<sup>th</sup> day of December, 2013.



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Shawna Freels, MMC  
City Clerk of the City of Gilroy

(Seal)