ORDINANCE

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS REPEALING CHAPTER 6, "BUILDING REGULATIONS," AND CHAPTER 9, "FIRE PREVENTION AND PROTECTION," AND REPLACING THEM WITH A NEW CHAPTER 6, "BUILDING CODES AND REGULATIONS," THAT INCLUDES THE NEW 2025 CALIFORNIA BUILDING, FIRE, AND REACH CODES AS AMENDED. AMENDMENTS INCLUDE UPDATED FIRE SAFETY REQUIREMENTS IN WILDLAND URBAN INTERFACE AREAS FOR NEW, RENOVATED, OR REPAIRED STRUCTURES, AS WELL AS REACH CODES AFFECTING AIR CONDITIONING REPLACEMENT AND ELECTRICAL READINESS IN RENOVATIONS/ALTERATIONS.

WHEREAS, the California Building Standards Commission (CBSC) is responsible for administering the proposal, review, adoption, and implementation of the codes and regulations that establish building standards throughout California contained in Title 24 of the California Code of Regulations, commonly referred to as the California Buildings Standards Code; and

WHEREAS, the 2025 California Building Standards Code was published July 1, 2025, and will go into effect on January 1, 2026; and

WHEREAS, local jurisdictions are required to adopt and enforce the triennial California Building Standards Code published by the CBSC with any local amendments by January 1 of their effective year, or be mandated to accept, by default, the version published by the State; and

WHEREAS, California Health and Safety Code Section 17958 requires cities to adopt building regulations that are substantially the same as those adopted by the CBSC and contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5 allow cities to enact more stringent standards to the California Building Standards Code, including but not limited to green building standards, based on express findings that such standards are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, human activities that release greenhouse gases into the atmosphere contribute to the increase of the worldwide average temperature, drought conditions, and duration of fire seasons; and

WHEREAS, according to the California Department of Forestry and Fire Protection, nine of the ten largest wildfires in California history have occurred since 2017, destroying nearly 10,000 structures and burning more than 4.5 million acres; and

WHEREAS, the Town of Los Gatos is situated along a wildland-urban interface and as a result is extremely vulnerable to wildfires and firestorms; and

WHEREAS, Sections 17958, 17958.5 and 17958.7 of the Health and Safety Code as modified by AB 130 allow local jurisdictions to make changes to state building standards affecting residential units so long as those changes are necessary to implement a local code amendment that is adopted to align with a general plan approved on or before June 10, 2025, and that permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy; and

WHEREAS, pursuant to Sections 17958, 17958.5 and 17958.7 of the Health and Safety Code as modified by AB 130, the Town's proposed AC to heat pump and electric-readiness changes to building standards affecting residential units in the 2025 California Energy Code and 2025 California Green Building Standards Code are necessary to implement the Town's local code amendment; and

WHEREAS, pursuant to Sections 17958, 17958.5 and 17958.7 of the Health and Safety Code as modified by AB 130, the Town's local code amendment is adopted to align with the Town's General Plan while permitting mixed-fuel residential construction and incentivizing electric construction as part of the Town's adopted greenhouse gas emission reduction strategy stated in its Sustainability Plan; and

WHEREAS, the Town's General Plan Environment and Sustainability Element, which was adopted on June 30, 2022, includes relevant Town goals and policies including "[s]upport initiatives, legislation, and actions to respond to climate change"; "[p]romote energy conservation in . . . residential uses by encouraging installation of fixture and appliance upgrades, . . . and other retrofits to existing structures"; and

WHEREAS, the Town's adopted greenhouse gas reduction strategy in its 2012 Sustainability Plan calls for "green building measures" to reduce greenhouse gas emissions, including by requiring energy-efficient design; "identify[ing] and remov[ing] regulatory or procedural barriers to implementing green building practices in the town, by updating codes, guidelines, and zoning"; and "develop[ing] green building policies and programs that are optimized on a regional scale"; and "encourage adoption of green building practices that include the design and development of environmentally responsible . . . residential development and retrofits"; and

WHEREAS the Town's adopted greenhouse gas reduction strategy in its 2012 Sustainability Plan also calls for "energy conservation measures" to reduce greenhouse gas emissions; and

WHEREAS, consistent with the Town's adopted greenhouse gas reduction strategy in its 2012 Sustainability Plan and the Town's General Plan, adopted on June 30, 2022, the proposed AC to heat pump and electric-readiness changes to the 2025 California Energy Code and 2025 California Green Building Standards Code establish requirements for existing single-family structures which will reduce demands for local energy resources, reduce regional pollution, and reduce the Town's collective contribution to greenhouse gas emissions; and

WHEREAS, consistent with the requirements of AB 130, the proposed AC to heat pump and electric-readiness changes imposed by this ordinance permits mixed-fuel residential construction; and

WHEREAS, consistent with the requirements of AB 130, the proposed AC to heat pump and electric-readiness changes imposed by this ordinance incentivize all-electric construction by encouraging the cost-effective installation of electric space conditioning appliances and reducing barriers to future electrification of various appliances types; and

WHEREAS, the most cost-effective time to improve the energy efficiency and encourage electrification of existing structures is during significant alterations and additions, when electrical infrastructure may be installed alongside other significant improvements; and

WHEREAS, Section 101.7.1 of the California Green Building Standards Code provides that local climatic, geological or topographical conditions include environmental conditions established by a city, county, or city and county through findings; and

WHEREAS, following adoption of this Ordinance, the Town will submit the local amendments to the 2025 California Building Standards Code and required findings to the CBSC for filing, in accordance with Health & Safety Code Section 17958.7(a); and

WHEREAS, Public Resources Code section 25402.1(h)(2) and Section 10-106 of the 2025 California Administrative Code allow a local government to modify the state energy standards when the government finds that its modifications are cost-effective and the California Energy Commission finds that the modifications will require the diminution of energy consumption levels permitted by the Energy Code; and

WHEREAS, staff has reviewed the cost-effectiveness studies prepared by the California Statewide Codes and Standards Reach Code Program and finds them sufficient to show that the local AC to heat pump modifications will comply with the requirements of Public Resources Code section 25402.1(h)(2) and Section 10-106 of the 2025 California Administrative Code; and

WHEREAS, based on these studies, the Town Council finds that the local AC to heat pump modifications are cost-effective and will required buildings to be designed to consume no more energy than permitted by the California Energy Code; and

WHEREAS, following adoption of this Ordinance, the Town will submit the local amendments to the energy standards in the 2025 California Green Building Standards Code along with the required findings to the California Energy Commission, in accordance with Public Resources Code Section 25402.1(h)(2) and Section 10-106 of the 2025 California Administrative Code (Cal. Code Regs. Title 24, Part 1);

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1.

LEGISLATIVE FINDINGS

A. The recitals set forth above are true and correct and are incorporated into this ordinance by reference as if fully set forth herein.

B. In accordance with Health and Safety Code Sections 17958 and following, the Town Council finds that local amendments are reasonably necessary because of the following local climatic, geological, or topographical conditions:

1. Climatic: The Town of Los Gatos experiences low humidity, high wind, and warm temperatures during the summer months, creating conditions that are particularly conducive to the ignition and spread of grass, brush, and structure fires.

2. Geologic: The Town of Los Gatos is situated adjacent to active earthquake faults capable of producing substantial seismic events.

3. Topographic: The Town of Los Gatos is partially located in rugged, steep, and heavily vegetated hillsides accessible over limited roadways that are steep, narrow, and circuitous.

4. Topographic: The Town of Los Gatos is divided by a creek, freeways, and other traffic corridors, and is partially located in hillside areas with limited access. The occurrence of a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more bridges collapse or be substantially damaged. Additionally, fire suppression capabilities will be severely limited should the water system be extensively damaged during a seismic event.

5. Climatic: Climate change exacerbates fire risk in the Town. Greenhouse gas emissions contribute to climate change. The State of California has outlined specific steps to reduce greenhouse gas emissions to prevent these negative impacts of a changing climate. This allows local governments to achieve greenhouse gas emission reductions with a climate-positive impact by powering buildings from clean electricity. The proposed Reach Code would reduce the amount of greenhouse gas emissions produced by the Town's existing housing and encourage the use of cleaner sources of energy that are in line with Mitigation Measure GHG-1 of the General Plan Environmental Impact Report. These climatic conditions along with the greenhouse emissions generated from existing structures require exceeding the energy standards for construction established in the 2025 California Buildings Standards Code.

6. Due to the Town's local climatic, geological, geographical, and topographical conditions, mitigation measures are necessary, such as automatic fire suppression systems, communications systems, access to buildings, seismic protection, safety controls for hazardous materials, and other safeguards to minimize the risks to citizens, firefighters, and property resulting from the severity of a fire threat and potential delays in responding to such threats.

C. In accordance with Health and Safety Code Sections 17958, 17958.5, and 17958.7, the Town Council finds that the AC to heat pump and electric-readiness changes to

building standards affecting residential units in the 2025 California Energy Code and 2025 California Green Building Standards Code are necessary to implement the Town's local code amendment adding an AC to heat pump and electric-readiness requirement, and that the local code amendment:

a. Is adopted to align with the Town's General Plan, specifically Section 8.5, "Climate Change/Greenhouse Gas Emissions," of Chapter 8, "Environment and Sustainability Element," and Policy 9.6, "Energy Conservation and Renewable Energy Use," adopted on June 30, 2022; and
b. Permits mixed-fuel residential construction consistent with federal law; and
c. Incentivize all-electric construction, as part of the Town's adopted greenhouse gas emissions reduction strategy in its 2012 Sustainability Plan.

In accordance with Public Resources Code Section 25402.1(h)(2) and Section 10-106 of the 2025 California Administrative Code (Cal. Code Regs. Title 24, Part 1), the Town Council finds that the Town's AC to heat pump reach code modifications to the energy standards in the California Green Building Standards Code (Cal. Code Regs. Title 24, Part 11) ("CALGreen") are cost-effective, and that the modifications will require the diminution of energy consumption levels permitted by the Energy Code.

7. The Town Council finds that all codes adopted herein related to residential structures are substantially equivalent to prior local amendments, or are related to home hardening and wildfire safety, consistent with the requirements of Assembly Bill 130.

Section 2.

CHAPTER 6, "Buildings and Building Regulations," and CHAPTER 9 "Fire Prevention and Protection," of the Los Gatos Town Code ARE REPEALED IN THEIR ENTIRETY AND REPLACED WITH A NEW CHAPTER 6. "Building Codes and Regulations," to read as follows:

Chapter 6 BUILDING CODES and REGULATIONS
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ARTICLE I. CALIFORNIA ADMINISTRATIVE CODE

Sec 6.10.010. – Adopted.

The 2025 California Administrative Code, California Code of Regulations, Title 24, Part 1, is adopted by reference.

Sec. 6.10.020. – Conflicting Provisions.

When any provisions of the administrative sections of the codes adopted in Chapter 6 conflict with the administrative provisions found in the California Administrative and Building Codes, the California Administrative and Building Codes shall apply. If any code

adopted in this Chapter does not include administrative provisions, the administrative provisions of the California Administrative and Building Codes shall apply.

Sec 6.10.030. – Qualifying alterations.

Substantial renovations/alterations that include replacement of over fifty (50) percent of the existing foundation for purposes other than a repair or reinforcement, as defined in California Existing Building Code, Section 202; or where over fifty (50) percent of the existing framing above the sill plate is removed or replaced for purposes other than repair, shall meet the new construction requirements of California Code of Regulations, Title 24 as modified by the Town of Los Gatos. If either of these criteria are met within three years, measured from the date of the most recent previously obtained permit final date, the project shall be subject to the new construction requirements.

ARTICLE II. CALIFORNIA BUILDING CODE

Sec. 6.20.010 – Adopted.

The 2024 International Building Code (IBC), as amended by the State of California Building Standards Commission and known as the 2025 California Building Code (CBC), California Code of Regulations Title 24, Part 2, Volumes 1 and 2, with Appendix I, is adopted by reference and amended as follows:

Sec. 6.20.020 – IBC Oversight.

The California adoption of the new 2024 International Building Code may have inadvertently eliminated some construction requirements by oversight or erroneous reference to another code. In cases where the code adoption has inadvertently deleted or mis-referenced necessary construction requirements, the Town of Los Gatos Building Official may authorize use of construction requirements from the last previously adopted International Codes.

Sec. 6.20.030 – Schedule of Permit Fees.

Section 109.2 is amended to read as follows:

Section 109.2 Schedule of permit fees. Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the (Town Council).

Section 109.2.1 is added to read as follows:

109.2.1. Plan Review Fees. When submittal documents are required by Section 109, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The plan review fee shall be 65 percent of the building permit fee. The plan

review fees specified in this section are separate fees from the permit fees and are in addition to the permit fees.
When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the per-hour plan review rate as adopted by the Town of Los Gatos.

Section 109.6.1 is added to read as follows:

109.6.1. Refunds. The building official may authorize refunds of Building Division fees which were erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work or inspections have been done under an issued permit.

The building official may authorize refunding of not more than 80 percent of the collected plan review fee when the plan check application is withdrawn or cancelled prior to any plan review work being done.

The building official shall not authorize refunding of any collected fee until a written request for a refund by the original permittee or applicant is received. Requests must be received no later than 180 days after the date of the fee payment.

Sec. 6.20.040 – Automatic Sprinkler Systems.

Section 903.2 of the California Building Code adopted by this article is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in either this Section or in Sections 903.2.1 through 903.2.12.

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. An automatic sprinkler system shall be provided throughout all new buildings and structures, other than Group R occupancies, except as follows:
    a. Buildings and structures not located in any Wildland-Urban Interface and not exceeding 1,200 square feet of fire area.
    b. Buildings and structures located in any Wildland-Urban Interface Fire Area and not exceeding 500 square feet of fire area.
    c. Group S-2 or U occupancies, including photovoltaic support structures, used exclusively for vehicle parking which meet all of the following:

i. Noncombustible construction.

ii. Maximum 5,000 square feet in building area.

iii. Structure is open on not less than three (3) sides nor 75% of structure perimeter.

iv. Minimum of 10 feet separation from existing buildings, or similar structures, unless area is separated by fire walls complying with California Building Code 706.

d. Canopies, constructed in accordance with CBC 406.7.2, used exclusively for weather protection of vehicle fueling pads per CBC 406.7.1 and not exceeding 5,000 square feet of fire area.

2. An automatic sprinkler system shall be installed throughout all new buildings with a Group R fire area.

   Exception: Accessory Dwelling Unit, provided that all of the following are met:

   a. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.

   b. The existing primary residence does not have automatic fire sprinklers.

   c. The accessory dwelling unit does not exceed 1,200 square feet in size.

   d. The unit is on the same lot as the primary residence.

   e. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

3. An approved automatic fire sprinkler system shall be installed in new manufactured homes (as defined in California Health and Safety Code Sections 18007 and 18009) and multifamily manufactured homes with two dwelling units (as defined in California Health and Safety Code Section 18008.7) in accordance with Title 25 of the California Code of Regulations.

4. An automatic sprinkler system shall be installed throughout existing buildings with a Group R fire area when additions are made causing the fire area to exceed 3,600 square feet.

   Exception: Additions where all of the following are met:

   a. Building addition does not exceed 500 square feet.
   b. The resultant structure meets all water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

5. An automatic sprinkler system shall be provided throughout existing Group A, B, E, F, L, M, S and U buildings and structures, when additions are made that increase the fire area to more than 3,600 square feet or that create conditions described in Sections 903.2.1 through 903.2.18.

6. Any change in the character of occupancy or in use of any building with a fire area equal to or greater than 3,600 square feet which, in the opinion of the Fire Code Official or building official, would place the building into a more hazardous

division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety[1] or increased fire risk[2], shall require the installation of an approved fire automatic fire sprinkler system.

[1] Life Safety – Shall include, but not limited to: Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities housing non-ambulatory clients.

[2] Fire Risks – Shall include but not be limited to: High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

A Section 903.2.11.7 is added to read as follows:

903.2.11.7 Chemical Fume Hood Fire Protection.
Approved automatic fire extinguishing systems shall be provided in chemical fume hoods in the following cases:

1. Existing hoods having interiors with a flame spread index greater than 25 in which flammable liquids are handled
2. If a hazard assessment determines that an automatic extinguishing system is required for the chemical fume hood, then the applicable automatic fire protection system standard shall be followed.

Section 907.8 is amended to read as follows:

907.8 Inspection, testing and maintenance.
The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with California Fire Code Sections 907.8.1 through 907.8.4 and NFPA 72. Records of inspection, testing and maintenance shall be documented using NFPA 72 record of inspection and testing forms.

Sec. 6.20.050 – Smoke Control Systems

Section 909.22.1 is added to read as follows:

909.22.1 Schedule. A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established and operational testing must occur at least annually.

Sec. 6.20.060 – Roof Drainage.

Section 1502 is amended to add Section 1502.5 to read as follows:

Section 1502.5 Over Public Property.
Roof drainage water from a building shall not be permitted to flow over public property.

Exception(s):
1) Group R3, and Group U Occupancies
2) Other occupancies where the drainage plan and method of drainage have been approved by the “Building Official."

Sec. 6.20.070 – **Roof Covering Requirements in a Wildland-Urban Interface Fire Area and other areas.**

Section 1505.1.2 is amended to read as follows:

1505.1.2 Roof coverings within all other areas.
The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be fire-retardant roof covering that is at least Class A.

Sec. 6.20.080 – Concrete Strength.

Section 1705.3, Exception 1, is amended to read as follows:

Exception: Special inspections and tests shall not be required for:
1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock where the structural design of the footing is based on a specified compressive strength, f’c, not more than 2,500 pounds per square inch (psi) (17.2 Mpa) regardless of the compressive strength specified in the construction documents or used in the footing construction.

Sec. 6.20.090 – Limits on methods using Gypsum Board and Cement Plaster

Table 2308.10.1 Wall Bracing Requirements is amended to read as follows:

The title of Table 2308.10.1 is amended to read:

TABLE 2308.10.1[a, f, g]

Footnotes “f” and “g” are added to Table 2308.6.1, to read as follows:

f. Methods PBS, HPS, and SFB are not permitted in Seismic Design Categories D or E.

g. Methods GB, DWB, and PCP are not permitted in Seismic Design Category E.

ARTICLE III. CALIFORNIA RESIDENTIAL CODE

Sec. 6.30.010. – Adopted.

The 2024 International Residential Code (IRC) as amended by the State of California Building Standards Commission and known as the 2025 California Residential Code (CRC), California Code of Regulations, Title 24, Part 2.5, with Appendices BF, BG, BH, and CJ is adopted by reference and amended as follows:

Sec. 6.30.020 – Automatic Sprinkler Systems.

R309.2 One- and two-family dwellings automatic fire sprinkler systems is amended to read as follows:

R309.2 One- and two-family dwellings automatic sprinkler systems.
An automatic sprinkler system shall be installed in all new and existing one- and two-family dwellings when additions are made that increase the fire area to more than 3,600 square feet.

Exceptions:

1. Accessory Dwelling Unit, provided that all of the following are met:
   1.1. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.
   1.2. The existing primary residence does not have automatic fire sprinklers.
   1.3. The accessory dwelling unit does not exceed 1,200 square feet in size.
   1.4. The unit is on the same lot as the primary residence.
   1.5. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

2. When additions are made to existing structures, causing the fire area to exceed 3,600 square feet, and all of the following are met:
   2.1. Building addition does not exceed 500 square feet.
   2.2. The resultant structure meets all water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

Sec. 6.30.030 – Energy Storage Systems

Section 330.3.1 is amended to read as follows:

R330.3.1 Spacing. Individual ESS units shall be separated from each other by at least 3 feet (914 mm) except separation distances are documented to be adequate based on large-scale fire testing complying with Section 1207.1.7.

Section R330.4 is amended to read as follows:

R330.4 Location. ESS shall be installed only in the following locations:

1. Detached garages and detached accessory structures.
2. Attached garages separated from the dwelling unit living space in accordance with Section R302.6.
3. Outdoors or on the exterior side of exterior walls located not less than 3 feet (914 mm) from doors and windows directly entering the dwelling unit, and shall not be located below or above any emergency escape and rescue openings.
4. Enclosed utility closets, basements, and storage or utility spaces within dwelling units and sleeping units with finished or noncombustible walls and ceilings. Walls and ceilings of unfinished wood-framed construction shall be provided with not less than 5/8 -inch (15.9 mm) Type X gypsum wallboard. Openings into the dwelling shall be equipped with solid wood doors not less than 1-3/8 inches (35 mm) in thickness, solid or honeycomb-core steel doors not less than 1-3/8 inches (35 mm) in thickness, or doors with a 20-minute fire protection rating. Doors shall be self-latching and equipped with a self-closing or an automatic-closing device. Penetrations through the required gypsum wallboard into the dwelling shall be protected as required by Section R302.11, Item 4. ESS shall not be installed in sleeping rooms, or in closets or spaces opening directly into sleeping rooms. (Material based on NFPA 855 2023 Ed.)

Section R330.7 is amended to read as follows:

R330.7 Fire detection. Rooms and areas within dwelling units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section R314. A heat detector, listed and interconnected to the smoke alarms, shall be installed in locations within dwelling units and attached garages where smoke alarms cannot be installed based on their listing.
ESS installed in Group R-3 and townhomes shall comply with the following:

1. Rooms and areas within dwellings units, sleeping units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section R314.

2. A listed heat alarm interconnected to the smoke alarms shall be installed in locations within dwelling units, sleeping units, and attached garages where smoke alarms cannot be installed based on their listing.

   Exceptions:
   1. A listed heat detector may be used in place of a heat alarm, so long as it is interconnected with devices that provide an audible alarm at all sleeping areas.

   2. A fire sprinkler associated with an approved automatic sprinkler system that triggers an audible alarm upon activation of the waterflow switch, may be used in place of a heat alarm.

R902.1.2 is amended to read as follows:

R902.1.2 Roof coverings in all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be fire-retardant roof covering that is at least Class A.

Sec. 6.30.040. – Limits on methods using Gypsum Board and Cement Plaster.

Table R602.10.3(3) Bracing Requirements Based On Seismic Design Category is amended to read as follows:

The title of Table R602.10.3(3) is amended to read:

TABLE R602.10.3(3)[i, j]

Footnotes "i" and "j" are added to Table R602.10.3(3), to read:

i. Methods PBS, HPS, SFB and CS-SFB are not permitted in Seismic Design Categories D_0, D_1, and D_2.
j. Methods GB, DWB and PCP are not permitted in Seismic Design Categories D_0, D_1, and D_2 where S_1 is greater than or equal to 0.75.

ARTICLE IV. CALIFORNIA ELECTRICAL CODE

Sec. 6.40.010. – Adopted.

The 2023 National Electrical Code (NEC), as amended by the State of California Building Standards Commission, and known as the 2025 California Electric Code (CEC), California Code of Regulations, Title 24, Part 3, is adopted by reference.

ARTICLE V. CALIFORNIA MECHANICAL CODE

Sec. 6.50.010. – Adopted.

The 2024 Uniform Mechanical Code (UMC), as amended by the State of California Building Standards Commission, and known as the 2025 California Mechanical Code (CMC), California Code of Regulations, Title 24, Part 4, is adopted by reference.

ARTICLE VI. CALIFORNIA PLUMBING CODE

Sec. 6.60.010. – Adopted.

The 2024 Uniform Plumbing Code (UPC), as amended by the State of California Building Standards Commission, and known as the 2025 California Plumbing Code (CPC),

California Code of Regulations, Title 24, Part 5, with appendices A, B, D, G, H, I, J, K, and L only, are adopted by reference and amended as follows:

Sec. 6.60.020. – Backflow protection.

Section 710.1 is amended to read as follows:

710.1. Backflow Protection. Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Administrative Authority. Cleanouts for drains that pass through a backwater valve shall be clearly identified with a permanent label stating, "backwater valve downstream."

ARTICLE VII. CALIFORNIA ENERGY CODE

Sec. 6.70.010. – Adopted.

The 2025 California Energy Code (CEC), California Code of Regulations, Title 24, Part 6, is adopted by reference and amended as follows.

Sec. 6.70.020 – Electric Readiness Reach Code.

Section 100.0 is modified to add a new section (i) to read as follows:

(i) Single Family Building Remodel Energy Reach Code - Purpose and Intent.
In addition to all requirements of the California Energy Code applicable to Single Family building additions and alterations, the electric readiness measures specified in Sections 150.0(w) shall be required for certain single family additions and alterations.

Section 100.1(b) is modified by adding the following definitions:

LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE is a 208/240-volt 40-ampere minimum branch circuit and a receptacle.
LOW POWER LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE is a 208/240-volt 20-ampere minimum branch circuit and a receptacle

A new Section, (w), is added to Section 150.0 as follows:

(w) **Electric Readiness for Alterations**

1. **Electric range.** Where branch circuits or receptacles are added or altered in a kitchen and the work requires an electrical permit, install electrical components in

accordance with the California Electrical Code. The electrical components shall include either of the following:

A. A 125-volt, 20-amp electrical receptacle that is connected to the electric panel with a 120/240-volt 3 conductor branch circuit rated at 50 amps minimum, within 3 feet from the appliance and accessible to the appliance with no obstructions. Both ends of the unused conductor shall be labeled with the word "spare" and be electrically isolated. Space shall be reserved for a single pole circuit breaker in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled with the words "Future Use".
B. A pathway for a future 240-volt 50-amp minimum branch circuit that shall consist of either conductors or raceway from the main electrical service panel. The main electric panel shall have space reserved to allow for the installation of a double pole circuit breaker for a future electric range installation. The reserved space shall be permanently marked as "For Future 240V use". The raceway or conductors shall terminate at a junction box within 3 feet of the appliance. The blank cover shall be identified as "240V ready".

2. **Electric dryer.** Where a branch circuit is added or altered within 3 feet of a gas or propane clothes dryer and the work requires an electrical permit, install electrical components in accordance with the California Electrical Code. The electrical components shall include either of the following:
   A. A dedicated 125-volt, 20-amp electrical receptacle that is connected to the electric panel with a 120/240-volt 3 conductor branch circuit rated at 30 amps minimum, within 3 feet from the appliance and accessible to the appliance with no obstructions. Both ends of the unused conductor shall be labeled with the word "spare" and be electrically isolated. Space shall be reserved for a single pole circuit breaker in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled with the words "Future Use"; or,
   B. A pathway for a future 240-volt 30-amp minimum branch circuit that shall consist of either conductors or raceway from the main electrical service panel. The main electric panel shall have space reserved to allow for the installation of a double pole circuit breaker for a future heat pump dryer installation. The reserved space shall be permanently marked as "For Future 240V use". The raceway or conductors shall terminate at a junction box within 3 feet of the appliance. The blank cover shall be identified as "240V ready".

3. **Heat pump water heater**.
   A. If wall framing is removed or replaced within 3 feet of a gas or propane water heating appliance, space suitable for the future installation of a heat pump water heater (HPWH) shall be provided. The space shall be at least 2.5 feet by 2.5 feet wide and 7 feet tall and shall include a condensate drain that is no more than 2 inches higher than the base of an installed water heater and allows natural draining without pump assistance or installed piping or tubing within 3 feet of the water heater location to a condensate drain or exterior location. If pump assistance is needed, a receptacle on a 120 volt, minimum 15-amp branch circuit

for a condensate pump must be available within 3 feet of the water heater location.

B. Where branch circuits are altered or added within 3 feet of an existing gas or propane water heater or within 10 feet of the designated future location of a heat pump water heater as required under Section 150.0(w)3A, and the work requires an electrical permit, install electrical components in accordance with the California Electrical Code. The electrical components shall include either of the following:
    (i) A dedicated 125-volt, 20-amp electrical receptacle that is connected to the electric panel with a 120/240-volt 3 conductor, 10 AWG copper branch circuit rated at 30 amps minimum, within 3 feet from the water heater and accessible to the water heater with no obstructions. Both ends of the unused conductor shall be labeled with the word “spare” and be electrically isolated. Space shall be reserved for a single pole circuit breaker space in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled with the words “Future 240V Use”; or
    (ii) A pathway for a future 240-volt 30-amp minimum branch circuit that shall consist of either conductors or raceway from the main electrical service panel. The main electric panel shall have space reserved to allow for the installation of a double pole circuit breaker for a future HPWH installation. The reserved space shall be permanently marked as “For Future 240V use”. The pathway shall terminate at a junction box within 3 feet of the appliance. The blank cover shall be identified as “240V ready”.

4. **Electrical Power Upgrades.** Increases in the electrical power infrastructure capacity serving a building shall only be permitted when all the following are documented and submitted to the building official:
    A. Calculations in accordance with California Electrical Code Article 220.83 determining future loads will exceed the capacity of the current electrical power infrastructure.
    B. Where data is available, calculations in accordance with California Electrical Code Article 220.87 determining that future loads exceed the capacity of the current electrical service infrastructure.
    C. Calculations for item (A) and item (B) above shall include at least one of the following:
        i. At least one power management or circuit controlling device, serving electric-only appliances such as:
            a. Water heater(s)
            b. Clothes dryer(s)
            c. Range(s)
            d. Level 2 EV Charging Receptacle or
            e. Low Power Level 2 EV Charging Receptacle
        ii. At least one of the following electric-only appliances operating on 120V:
            a. Water heater(s)

b. Clothes dryers(s)
c. Range(s)

iii. Circuit control between whole home load and Level 2 EV Charging Receptacle or Low Power Level 2 EV Charging Receptacle

Exception 1 to Section 150.0(w)4: The upgrade is solely the result of a project proposing electrical improvements supporting loads related to devices and uses not regulated by 150.0(w).

Exception 1 to Section 150.0(w): The project is solely related to a repair as defined by Title 24 Part 2 Section 202.
Exception 2 to Section 150.0(w): If an electrical permit is not otherwise required for the project other than compliance with this section.
Exception 3 to Section 150.0(w): Where upgrades to the existing electrical panel or utility service are not proposed, electrical panel capacity shall not be required to exceed the existing utility electrical service to the building to meet compliance with this section. Capacity and overcurrent protection spaces shall be reserved to the extent allowable under the existing electrical panel capacity using the methodology in Section 150(w)4. Tandem overcurrent protection devices shall be used to the extent permissible under the California Electrical Code.
Exception 4 to Section 150.0(w):): A Covered Single Family Project that consists solely of medically necessary improvements or solely of seismic safety improvements
Exception 5 to Section 150.0(w): Mobile Homes, Manufactured Housing, or Factory-built Housing as defined in Division 13 of the California Health and Safety 12 Code (commencing with Section 17000 of the Health and Safety Code).
Exception 6 to Section 150.0(w): Emergency Housing pursuant to Appendix P of the California Building Code.
Exception 7 to Section 150.0(w): Creation of a new accessory dwelling unit or junior accessory dwelling unit that is within the existing space of a single family dwelling or accessory structure and includes an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress. Or, if the project would not otherwise be a Covered Single Family Project were it not for the inclusion of an accessory dwelling unit or junior accessory dwelling unit that meets the criteria above.

Section 150.2(b) is modified to read:

(b) **Alterations**. Alterations to existing single-family residential buildings or alterations in conjunction with a change in building occupancy to a single-family residential occupancy shall meet either Item 1 or 2 below, in addition to the requirements of 150.0(*w*).

ARTICLE VIII. CALIFORNIA WILDLAND URBAN INTERFACE CODE

Sec. 6.80.010. – Adopted.

The 2024 International Wildland Urban Interface Code (IWUI), as amended by the State of California Building Standards Commission and known as the 2025 California Wildland Urban Interface Code (CWUI), California Code of Regulations, Title 24, Part 7, is adopted by reference, and amended as follows.

Sec. 6.80.020. – Scope.

Section 101.2 Scope is amended to read as follows.

[A]101.2 Scope. This code applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings, and additions or alterations to existing buildings, located within a wildland-urban interface (WUI) area and contains minimum requirements to mitigate conditions that might cause a fire originating in a structure to ignite vegetation in the wildland-urban interface (WUI) area, and conversely, a wildfire burning in vegetative fuels to transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities or result in large property losses.

Sec. 6.80.030. – Application.

Section 101.3.1 Application is amended as follows:

101.3.1 Application.
Exception 6: Land or water area acquired or managed for one or more of ht following purposes or uses:

6.1 Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened species by the state or federal government.
6.2 Lands kept in a predominantly natural state as habitat for wildlife, plant, or animal communities.
6.3 Open space lands that are environmentally sensitive parklands.
6.4 Other lands having scenic values, as declared by the local agency, or by state or federal law.

Section 101.3.1.1 Application date and, where required, is amended to read as follows.

101.3.1.1 Application date and where required. New buildings for which an application for a building permit is submitted on or after July 1, 2008, located in any Fire Hazard Severity Zone or Wildland-Urban Interface Area shall comply with this code, including all of the following areas:

All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA), including:

Moderate Fire Hazard Severity Zones.
High Fire Hazard Severity Zones.

Very High Fire Hazard Severity Zones.

All incorporated lands designated by the Town of Los Gatos as a Wildland-Urban Interface area, including Moderate, High, and Very High Fire Severity zones.

Sec. 6.80.040. – Additions and Alterations.

Section [A]101.5 Additions or alterations is adopted to read as follows.

[A]101.5 Additions or alterations. Additions or alterations shall be permitted to be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this code, provided that the addition or alteration conforms to that required for a new building or structure.

ARTICLE IX. CALIFORNIA HISTORICAL BUILDING CODE

Sec. 6.90.010. – Adopted.

The 2025 California Historical Building Code (CHBC), California Code of Regulations, Title 24, Part 8, including Appendix A, is adopted by reference.

ARTICLE X. CALIFORNIA FIRE CODE

Sec. 6.100.010 – Adopted.

The 2024 International Fire Code (IFC), as amended by the State of California Building Standards Commission and known as the 2025 California Fire Code (CFC), California Code of Regulations Title 24, Part 9, with Appendices B, C, D, and P, is adopted by reference and amended as follows.

Sec. 6.100.020 – General.

Inclusion in Central Fire District; Definitions.

(a) The Town is included in the Santa Clara County Central Fire Protection District. The Town's inclusion is provided for in Ordinance No. 997 of the Town.

(b) As used in this Code, the following definitions shall apply:

(i) *"Fire Department"* means the Santa Clara County Central Fire Protection District.

(ii) *"Fire Chief"* means the Chief of the Fire Department.

Sec 6.100.030 – Administration and Enforcement.

Delegation of duties. Whenever a provision appears that requires or allows the Fire Chief to do some act or make certain inspections, it is to be construed to authorize the Fire Chief to designate, delegate, and authorize subordinates to perform the act or make the inspection unless the terms of the provision or section provide otherwise.

Plan review. The Fire Department will review all plans submitted to the Town for the construction of all buildings except the interior of dwellings for the purpose of ascertaining and causing to be corrected any condition liable to cause fire, to endanger life from fire, or to create or perpetuate any violation of the provisions or intent of this Code or State law affecting fire safety.

Citations. Fire Department officers authorized by the Fire Chief and State law may issue citations for violations of this chapter pursuant to the Code.

Abatement of hazards by Fire Chief.

(a) If any person fails to comply with the orders of the Fire Chief, or in the event the Fire Chief is unable to locate the responsible person within a reasonable time, the Fire Chief may take such steps to abate the fire hazard as are necessary for the protection of the public health and safety. In no event is notice necessary before abatement when the fire hazard constitutes a clear and present danger to the public welfare.

(b) The cost of any such abatement is a debt to the Town of the owner of the premises or of any person who, by act or inaction, caused or permitted the fire hazard to exist. The cost of the abatement shall become a lien on the premises when the need for the abatement and the amount of the cost have been established in the manner provided in Article 8 of Chapter 6 of this Code.

Fees for checking, inspection services and permits. The Town Council may, by resolution, establish a schedule of fees to be charged and collected for checking and inspection services performed and for the issuance and enforcement of permits and requirements under this chapter.

Building Official to forward plans. The Building Official will provide the Fire Chief with one (1) copy of any plans and specifications required to be reviewed by the Fire Department.

Sec. 6.100.040 – CHAPTER 1, DIVISION II Administration.

Chapter 1, Division II, of the 2025 California Fire Code is amended as follows:

Table 105.5.9 is amended to read as follows:

TABLE 105.5.9
PERMIT AMOUNTS FOR COMPRESSED GASES

TYPE OF GAS	AMOUNT (cubic feet at NTP)
Carbon dioxide used in carbon dioxide enrichment systems	875 (100lb)

Carbon dioxide used in insulated liquid carbon dioxide beverage dispensing applications	875 (100 lb)
Corrosive	200
Flammable (except cryogenic fluids and liquefied petroleum gases)	200
Highly toxic	Any Amount
Moderately toxic	Any Amount
Other Health Hazard Materials	Any Amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

Table 105.5.22 is amended to read as follows:

TABLE 105.<u>5.22</u>
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS

TYPE OF MATERIAL	**AMOUNT**
Combustible liquids	See Section 105.5.18
Corrosive materials	
Gases	See Section 105.5.9
Liquids	55 gallons
Solids	500 pounds
Explosive materials	See Section 105.5.16
Flammable materials	
Gases	See Section 105.5.9
Liquids	See Section 105.5.18
Solids	100 pounds
Highly toxic materials	
Gases	See Section 105.5.9
Liquids	Any Amount
Solids	Any Amount
Moderately toxic materials	
Gases	See Section 105.5.9
Other health hazard materials	
Gases	See Section 105.5.9
Liquids	55 gallons
Solids	500 pounds
Oxidizing materials	
Gases	See Section 105.5.9
Liquids	

Class 4	Any Amount
Class 3	1 gallon[a]
Class 2	10 gallons
Class 1	55 gallons
Solids	
Class 4	Any Amount
Class 3	10 pounds[b]
Class 2	100 pounds
Class 1	500 pounds
Organic peroxides	
Liquids	
Class I	Any Amount
Class II	Any Amount
Class III	1 gallon
Class IV	2 gallons
Class V	No Permit Required
Solids	
Class I	Any Amount
Class II	Any Amount
Class III	10 pounds
Class IV	20 pounds
Class V	No Permit Required
Pyrophoric materials	
Gases	Any Amount
Liquids	Any Amount
Solids	Any Amount
Toxic materials	
Gases	See Section 105.5.9
Liquids	10 gallons
Solids	100 pounds
Unstable (reactive) materials	
Liquids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	5 gallons
Class 1	10 gallons
Solids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	50 pounds
Class 1	100 pounds
Water-reactive materials	
Liquids	

Class 3	Any Amount
Class 2	5 gallons
Class 1	55 gallons
Solids	
Class 3	Any Amount
Class 2	50 pounds
Class 1	500 pounds

For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg.

a. 22 gallons when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 22 gallons or less.

b. 220 pounds when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 220 pounds or less.

Section 105.5.60 is added to read as follows:

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

Section 105.5.62 is added to read as follows:

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

Section 105.6.4 is amended to read as follows:

105.6.4 Cryogenic fluids. A construction permit is required for installation of or alteration to cryogenic fluid storage systems where the system capacity exceeds the amounts listed in Table 105.5.11. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a construction permit.

Section 108.2.1 is added to read as follows:

108.2.1 Construction permit fees. Construction permit fees and plan review fees for fire hydrant systems, fire extinguishing systems, and fire alarm systems shall be paid to the Santa Clara County Fire Department in accordance with the following table based on valuation. The valuation shall be limited to the value of the system installation for which the permit is being issued. Plan review fees are 65 percent of the Permit Fee

amount. For the purposes of determining the total fee amount for each permit, the plan review fee shall be added to the Permit Fee.

TOTAL VALUATIONS	**PERMIT FEE**
$1.00 TO $500.00	$23.50
$501.00 TO $2,000.00	$23.50 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2,000.00
$2001.00 TO $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00 or fraction thereof, to and including $25,000.00
$25,001.00 TO $50,000.00	$391.25 for the first $25,000.00 plus $4.00 for each additional $1,000.00, or fraction thereof, to and including $50,000.00
$50,001.00 TO $100,000.00	$630.15 for the first $50,000.00 plus $13.60for each additional $1,000.00, or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	$986.75 for the first $100,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $500,000.00
$500,001 to $1,000,000.00	$3,228.15 for the first $500,000.00 plus $5.35 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001 and up	$5,604.00 for the first $1,000,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof
Additional re-inspections, in connection with the permits above, are to be paid at $120.00 for each occurrence at the discretion of the fire code official.	
Cancelled inspections without advance notice are to be paid at $120.00 for each occurrence.	

Section 108.2.2 is added to read as follows:

108.2.2 Operational permit fees. Operational permit fees shall be paid to the Santa Clara County Fire Department as follows:

FACILITY TYPE		PERMIT FEE
1.	Institutional	
	A. More than 6 persons	$75.00 - Annually
	B. Over 50 persons	$100.00 - Annually
2.	Day Care Facilities	
	More than 6 clients	$35.00 - Annually
3.	Places of Assembly	
	A. 50-300 persons	$50.00 - Annually
	B. Over 300 persons	$85.00 - Annually
4.	Temporary Membrane Structures, Tents, and Canopies (Only those requiring permits in accordance with Section 105.6.47).	$85.00 – Each Occurrence

Section 109.5 is added to read as follows:

109.5 Final inspection. No final inspection as to all or any portion of a development shall be deemed completed until the installation of the required fire protection facilities and access ways have been completed and approved. No final certificate of occupancy may be granted until the Fire Department issues notice of final clearance of such fire protection facilities and access ways to the Building Department.

Section 113.4 is deleted.

Sec. 6.100.050 – Chapter 2, Definitions.

Section 202 is amended to amend and add the following definitions:

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; or
2) any liquid having a pH of 2 or less or 12.5 or more; or
3) any liquid classified as corrosive by the U.S. Department of Transportation; or
4) any material exhibiting the characteristics of corrosivity in accordance with Title 22, California Code of Regulations §66261.22.

HEALTH HAZARD – OTHER. 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).

LARGE-SCALE FIRE TESTING. Testing a representative energy storage system that induces a significant fire into the device under test and evaluates whether the fire will spread to adjacent energy storage system units, surrounding equipment, or through an adjacent fire-resistance-rated barrier.

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.

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.

SPILL CONTROL. That level of containment that is external to and separate from the primary containment and is capable of safely and securely containing the contents of the largest container and prevents the materials from spreading to other parts of the room.

WORKSTATION. A defined space or an independent principal piece of equipment flammable or unstable (Class 3 or 4 as ranked by NFPA 704) hazardous materials 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 workstation are included as part of the workstation. A workstation is allowed to contain ventilation equipment, fire protection devices, detection devices, electrical devices and other processing and scientific equipment.

Sec. 6.100.060 – Fire Apparatus Access Roads.

Section 503.1 is amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and in accordance with the Fire Department's access standards**.**

Section 503.1.1 is amended to read as follows:

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

Exceptions:

1. In other than R-3 or U occupancies, when the building is equipped throughout with an approved automatic sprinkler system, installed in accordance with Section 903.3.1.1 the dimension may be increased to a maximum of 300 feet when approved by the fire code official.

2. When there are not more than two Group R-3 or accessory Group U occupancies, the dimension may be increased to a maximum of 200 feet.

3. When apparatus roads cannot be installed because of topography, waterways, nonnegotiable grades or other similar conditions, an approved alternative means of fire protection shall be provided.

Section 503.2.1 is amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) for engines, and 26 feet (7925 mm) for aerial fire apparatus exclusive of shoulders, except for approved gates or barricades in accordance with Sections 503.5.1 and 503.6. The unobstructed vertical clearance shall be a minimum of 13 feet 6 inches (4115 mm), or as determined by the fire code official.

Exception: When there are not more than two residential parcels, having only Group R, Division 3, or Group U occupancy structures, the access road width may be modified by the fire code official.

Section 503.2.4 is amended to read as follows:

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be a minimum of 30 feet (9144 mm) inside, and a minimum of 50 feet (15240 mm) outside.

Section 503.2.7 is amended to read as follows:

503.2.7 Grade. The maximum grade of a fire department apparatus access road shall not exceed 15 percent, unless approved by the fire code official**.**

Section 503.5 is amended to read as follows:

503.5 Required gates or barricades. The Fire Code Official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails, or other accessways, not including the public streets, alleys, or highways. The minimum width for commercial applications is 20 feet (6096 mm), and 12 feet (4268 mm) for single-family dwellings. 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 F2200.

Section 503.6 is amended to read as follows:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. 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. 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 F2200. The minimum width for commercial applications is 20 feet (6096 mm), and 12 feet (4268 mm) for single-family dwellings.

Sec. 6.100.070 – Access to Building Openings and Roofs.

Section 504.5 is added to read as follows:

504.5 Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to within and throughout the building, are installed, such devices shall be approved by the fire code official. All electrically powered access control devices shall be provided with an approved means for deactivation or unlocking from a single location or otherwise approved by the fire code official. Access control devices must also comply with Chapter 10.

Sec. 6.100.080 – Premises Identification.

Section 505.1 is amended to read as follows:

505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (153 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

The following is a guideline for adequate address number dimensions:

- The number posted up to 49 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a half (½) inch stroke.

- The number posted from 50 to 100 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a one (1)

inch stroke.

- The number posted over 100 to 199 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (10) inches high with a one and a half (1½) inch stroke.

- The number posted over 200 to 299 feet from the public street shall be of one solid color which is contrasting to the background and be at least eighteen (18) inches high with a two (2) inch stroke.

- The number posted over 300 to 400 feet from the public street shall be of one solid color which is contrasting to the background and be at least twenty-four (24) inches high with a two and a half (2½) inch stroke.

Sec. 6.100.090 – Emergency Responder Communication Coverage.

Section 510.1 is amended to read as follows:

510.1 Emergency responder communications enhancement systems in new buildings. Approved in-building emergency responder communications enhancement system (ERCES) for emergency responders shall be provided within all buildings meeting any one of the following conditions:

1. There are more than 3 stories above grade plane (as defined by the Building Code Section 202);

2. The total building area is 30,000 square feet or more;

3. The total basement area is 5,000 square feet or more;

4. Where required by the Fire Code Official and radio coverage signal strength levels are not consistent with the minimum levels set forth in Section 510.4.1

Exceptions:

1. Where approved by the Fire Code Official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained in lieu of an approved communications coverage system.

2. Where it is determined by the Fire Code Official that the communications coverage system is not needed.

3. In facilities where emergency responder communications coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the Fire Code Official shall have the authority to accept an automatically activated emergency responder communications

coverage system.

4. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the Silicon Valley Regional Interoperability Authority (SVRIA) P25 Phase 2 700 MHz Digital Trunked Radio System within the building in accordance with Section 510.4.1 without the use of an indoor radio coverage system.
   The radio coverage system shall be installed and maintained in accordance with Sections 510.4 through 510.6.4 of this code and with the applicable provisions of NFPA 1225, Standard for Emergency Services Communications.

   In-building ERCES within the building shall be based on the existing coverage levels of the public safety communications systems utilized by the jurisdiction, measured at the exterior of the building. The ERCES, where required, shall be of a type determined by the Fire Code Official and the frequency license holder(s). This section shall not require improvement of the existing public safety communications systems.

Section 510.1.1 is added to read as follows:

510.1.1 Obstruction by new buildings. No obstruction of the public safety system backhaul shall be allowed without an approved mitigating plan.

Section 510.3.1 is amended to read as follows:

510.3.1 Permit required. A construction permit for the installation of or modification to in-building emergency responder communications enhancement systems and related equipment is required as specified in Section 105.6.5. Maintenance performed in accordance with this code is not considered a modification and does not require a permit. A frequency change made to an existing system is considered to be new construction and will require a construction permit.

Section 510.4 is amended to read as follows:

510.4 Technical requirements. Equipment required to provide in-building, two-way emergency responder communication coverage shall be listed in accordance with UL 2524 and the current Emergency Responders Communications Enhancement Systems Standard Details & Specification enforced by the Santa Clara County Fire Department. Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with Sections 510.4.1 through 510.4.2.8.

Section 510.4.2 is amended to read as follows:

510.4.2 System design. The in-building emergency responder communications enhancement system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1225, and the current Emergency Responder Communications

Enhancement Systems Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.5 is amended to read as follows:

510.5 Installation requirement. The installation of the emergency responder radio coverage system shall be in accordance with NFPA 1225 and the current Emergency Responder Communications Enhancement Systems Standard Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.5.2 is amended to read as follows:

510.5.2 Approval prior to installation. Communications enhancement systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the Fire Code Official and the agency FCC license holder or systems administrator.

Section 510.5.4 is amended to read as follows:

510.5.4 Acceptance test procedure. Where an in-building emergency responder communications enhancement system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is not less than 95 percent. Final system acceptance will require ERRCS power level and DAQ testing with agency FCC license holder, systems administrators, or designee.

Sec. 6.100.100 – Fire And Smoke Protection Features

Section 703.3 is added to read as follows:

703.3 Fire-resistant penetrations and joints. In high-rise buildings, in buildings assigned to Risk Category III or IV, or in fire areas containing Group R occupancies with an occupant load greater than 100, and other occupancies as determined necessary special inspections for through-penetrations, membrane penetration firestops, fire resistant joint systems and perimeter fire containment systems that are tested and listed in accordance with CBC Sections 714.4.1.2, 715.3.1 and 715.4 shall be in accordance with Section 1705.18.1 or 1705.18.2.

Sec. 6.100.110 – Fire Protection and Life Safety Systems

Section 901.6.2 is amended to read as follows:

901.6.2 Integrated testing. Where two or more fire protection or life safety systems are interconnected, the intended response of subordinate fire protection and life safety systems shall be verified when required testing of the initiating system is conducted. In

addition, integrated testing shall be performed in accordance with Sections 901.6.2.1 and 901.6.2.2.

901.6.2.1 High-rise buildings. For high-rise buildings, integrated testing shall comply with NFPA 4, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan prepared in accordance with NFPA 4. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced. For existing buildings, the testing timeframe shall be specified by the integrated systems test plan prepared in accordance with NFPA 4 as approved by the fire code official.

901.6.2.2 Smoke control systems. Where a fire alarm system is integrated with a smoke control system as outlined in Section 909, integrated testing shall comply with NFPA 4, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan prepared in accordance with NFPA 4. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced. For existing buildings, the testing timeframe shall be specified by the integrated systems test plan prepared in accordance with NFPA 4 as approved by the fire code official.

Section 901.6.3 is amended to read:

901.6.3 Records <u>Information</u>. Records of all system inspections, tests and maintenance required by the referenced standard shall be maintained on the premises for a minimum of five years. See Sections 907.7 and 907.8 for fire alarm system inspection, testing and maintenance documentation requirements.

Sec. 6.100.120 – Automatic Sprinkler Systems

Section 903.2 is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in either this Section or in Sections 903.2.1 through 903.2.12, whichever is the more restrictive, and Sections 903.2.14 through 903.2.21.

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. An automatic sprinkler system shall be provided throughout all new buildings and structures, other than Group R occupancies, except as follows:

a. Buildings and structures not located in any Wildland-Urban Interface and not exceeding 1,200 square feet of fire area.

b. Buildings and structures located in any Wildland-Urban Interface Fire Area and not exceeding 500 square feet of fire area.

c. Group S-2 or U occupancies, including photovoltaic support structures, used exclusively for vehicle parking which meet all of the following:

    i. Noncombustible construction.

    ii. Maximum 5,000 square feet in building area.

    iii. Structure is open on not less than three (3) sides nor 75% of structure perimeter.

    iv. Minimum of 10 feet separation from existing buildings, or similar structures, unless area is separated by fire walls complying with California Building Code 706.

d. Canopies, constructed in accordance with CBC 406.7.2, used exclusively for weather protection of vehicle fueling pads per CBC 406.7.1 and not exceeding 5,000 square feet of fire area.

2. An automatic sprinkler system shall be installed throughout all new buildings with a Group R fire area.

   Exception: Accessory Dwelling Unit, provided that all of the following are met:

   a. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.

   b. The existing primary residence does not have automatic fire sprinklers.

   c. The accessory dwelling unit does not exceed 1,200 square feet in size.

   d. The unit is on the same lot as the primary residence.

   e. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

3. An approved automatic fire sprinkler system shall be installed in new manufactured homes (as defined in California Health and Safety Code Sections 18007 and 18009) and multifamily manufactured homes with two dwelling units (as defined in California Health and Safety Code Section 18008.7) in accordance with Title 25 of the California Code of Regulations.

4. An automatic sprinkler system shall be installed throughout existing buildings with a Group R fire area when additions are made causing the fire area to exceed 3,600 square feet.

   Exception: Additions where all of the following are met:

a. Building addition does not exceed 500 square feet.
b. The resultant structure meets all water supply requirements of Chapter 5 and Appendix B of the 2025 California Fire Code.

5. An automatic sprinkler system shall be provided throughout existing Group A, B, E, F, L, M, S and U buildings and structures, when additions are made that increase the fire area to more than 3,600 square feet or that create conditions described in Sections 903.2.1 through 903.2.18.
6. Any change in the character of occupancy or in use of any building with a fire area equal to or greater than 3,600 square feet which, in the opinion of the Fire Code Official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety[1] or increased fire risk[2], shall require the installation of an approved fire automatic fire sprinkler system.

[1] Life Safety – Shall include, but not limited to: Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities housing non-ambulatory clients.

[2] Fire Risks – Shall include, but not limited to: High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

Section 903.2.11.7 is added to read as follows:

903.2.11.7 Chemical Fume Hood Fire Protection.
Approved automatic fire extinguishing systems shall be provided in chemical fume hoods in the following cases:

1. Existing hoods having interiors with a flame spread index greater than 25 in which flammable liquids are handled.
2. If a hazard assessment determines that an automatic extinguishing system is required for the chemical fume hood, then the applicable automatic fire protection system standard shall be followed.

Sec. 6.100.130 – Fire Alarm and Detection Systems.

Section 907.8 is amended to read as follows:

907.8 Inspection, testing, and maintenance. The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with Sections 907.8.1

through 907.8.4 and NFPA 72. Records of inspection, testing and maintenance shall be documented using NFPA 72 record of inspection and testing forms.

Sec. 6.100.140 – Smoke Control Systems.

Section 909.22.1 is amended to read as follows:

909.22.1 Schedule. A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established and operational testing must occur at least annually.

Sec. 6.100.150 – Energy Systems.
Section 1202.1.1 is amended to read as follows:

1202.1 Definitions. The following terms are defined in Chapter 2:

BATTERY SYSTEM, STATIONARY STORAGE.
BATTERY TYPES.
CAPACITOR ENERGY STORAGE SYSTEM.
CRITICAL CIRCUIT.
EMERGENCY POWER SYSTEM.
ENERGY STORAGE MANAGEMENT SYSTEMS.
ENERGY STORAGE SYSTEM (ESS).
ENERGY STORAGE SYSTEM, ELECTROCHEMICAL.
ENERGY STORAGE SYSTEM, MOBILE.
ENERGY STORAGE SYSTEM, WALK-IN UNIT.
ENERGY STORAGE SYSTEM CABINET.
ENERGY STORAGE SYSTEM COMMISSIONING.
ENERGY STORAGE SYSTEM DECOMMISSIONING.
FUEL CELL POWER SYSTEM, STATIONARY.
LARGE-SCALE FIRE TESTING
PORTABLE GENERATOR.
STANDBY POWER SYSTEM.

Sec. 6.100.160 – Electrical Energy Storage Systems (ESS).

Section 1207.1.7 is amended to read as follows:

1207.1.7 Large-scale fire test. Where required elsewhere in Section 1207, large-scale fire testing shall be conducted in accordance with NFPA 855 as amended, and UL 9540A. The testing shall be conducted or witnessed and reported by an approved testing laboratory and show that a fire involving one ESS will not propagate to an adjacent ESS, and where installed within buildings, enclosed areas and walk-in units will be contained within the room, enclosed area or walk-in unit for a duration equal to the fire-resistance rating of the room separation

specified in Section 1207.7.4. The test report shall be provided to the Fire Code Official for review and approval in accordance with Section 104.2.2.

Section 1207.2.2.1 is amended to read as follows:

1207.2.2.1 Ongoing inspection and testing. Systems that monitor and protect the ESS installation shall be inspected and tested in accordance with the manufacturer's instructions and the operation and maintenance manual. Inspection and testing records shall be maintained in the operation and maintenance manual and made available to the Fire Code Official upon request.

Section 1207.5.2 is amended to read as follows:

1207.5.2 Maximum allowable quantities. Fire areas within rooms, areas and walk-in units containing electrochemical ESS shall not exceed the maximum allowable quantities in Table 1207.5. The allowable number of fire areas, maximum allowable quantity, and fire-resistance rating of fire-barriers shall comply with Table 1207.5.1.

Exceptions:

1. Where approved by the fire code official, rooms, areas and walk-in units containing electrochemical ESS that exceed the amounts in Table 1207.5 shall be permitted based on a hazardous mitigation analysis in accordance with Section 1207.1.6 and large-scale fire testing complying with Section 1207.1.7.

2. Lead-acid and nickel-cadmium battery systems installed in facilities under the exclusive control of communications utilities and operating at less than 50 VAC and 60 VDC in accordance with NFPA 76.

3. Dedicated-use buildings in compliance with Section 1207.7.1.

TABLE 1207.5.1
DESIGN AND NUMBER OF ESS FIRE AREAS

STORY		PERCENTAGE OF MAXIMUM ALLOWABLE QUANTITY PER FIRE AREA	NUMBER OF FIRE AREAS PER STORY	FIRE-RESISTANCE RATING FOR FIRE BARRIERS IN HOURS
Above grade plan	Higher than 9	25	1	3
	7-9	50	2	2

	6 5 4 3 2 1	50 50 75 100 100 100	2 2 4 6 6 6	2 2 2 2 2 2
Below grade plan	1 2 Lower than 2	100 50 Not Allowed	4 2 Not Allowed	3 3 Not Allowed

Section 1207.5.5 is amended to read as follows:

1207.5.5 Fire suppression systems. Rooms and areas within buildings and walk-in units containing electrochemical ESS shall be protected by an automatic fire suppression system designed and installed in accordance with one of the following:

1. Automatic sprinkler systems designed and installed in accordance with Section 903.3.1.1 for ESS units (groups) with a maximum stored energy capacity of 50 kWh, as described in Section 1207.5.1, shall be designed with a minimum density of 0.3 gpm/ft2 (1.14 L/min) based over the area of the room or 2,500 square-foot (232 m2) design area, whichever is larger, unless a lower density is approved based on large-scale fire testing in accordance with Section 1207.1.7.

2. Automatic sprinkler systems designed and installed in accordance with Section 903.3.1.1 for ESS units (groups) exceeding 50 kWh shall use a density based on large-scale fire testing complying with Section 1207.1.7.

3. The following alternative automatic fire-extinguishing systems designed and installed in accordance with Section 904, provided that the installation is approved by the Fire Code Official based on large-scale fire testing complying with Section 1207.1.7:

   3.1. NFPA 12, Standard on Carbon Dioxide Extinguishing Systems.
   3.2. NFPA 15, Standard for Water Spray Fixed Systems for Fire Protection.
   3.3. NFPA 750, Standard on Water Mist Fire Protection Systems.
   3.4. NFPA 2001, Standard on Clean Agent Fire-Extinguishing Systems.
   3.5. NFPA 2010, Standard for Fixed Aerosol Fire-Extinguishing Systems.

   Exceptions:

   1. Fire suppression systems for lead-acid and nickel-cadmium battery systems at facilities under the exclusive control of communications utilities that operate at less than 50 VAC and 60 VDC shall be provided where required by NFPA 76.

   2. Lead-acid and nickel-cadmium systems that are used for DC power for control of substations and control or safe shutdown of generating stations under the

exclusive control of the electric utility, and located outdoors or in building spaces used exclusively for such installations, shall not be required to have a fire suppression system installed.

3. Lead-acid battery systems in uninterruptable power supplies listed and labeled in accordance with UL 1778, utilized for standby power applications, which is limited to not more than 10 percent of the floor area on the floor on which the ESS is located, shall not be required to have a fire suppression system. (Material based on NFPA 855 2023 Ed.)

Section 1207.11.3 is amended to read as follows:

1207.11.3 Location. ESS shall be installed only in the following locations:

1. Detached garages and detached accessory structures.

2. Attached garages separated from the dwelling unit living space and sleeping units in accordance with Section R302.6.

3. Outdoors or on the exterior side of the exterior walls not less than 3 feet (914 mm) from doors and windows directly entering the dwelling unit and not below or above any emergency escape and rescue openings.

4. Enclosed utility closets, basements, storage or utility spaces within dwelling units with finished or noncombustible walls and ceilings. Walls and ceilings of unfinished wood-framed construction shall be provided with not less than 5/8-inch (15.9 mm) Type X gypsum wallboard.

ESS shall not be installed in sleeping rooms, or in closets or spaces opening directly into sleeping rooms or in habitable spaces of dwelling units.

Section 1207.11.6 is amended to read as follows:

1207.11.6 Fire detection. ESS installed in Group R-3 and R-4 occupancies shall comply with the following:

1. Rooms and areas within dwellings units, sleeping units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section 907.2.11.

2. A listed heat alarm interconnected to the smoke alarms shall be installed in locations within dwelling units, sleeping units and attached garages where smoke alarms cannot be installed based on their listing.

   Exceptions:

1. A listed heat detector may be used in place of a heat alarm, so long as it is interconnected with devices that provide an audible alarm at all sleeping areas.

2. A fire sprinkler associated with an approved automatic sprinkler system that triggers an audible alarm upon activation of the waterflow switch, may be used in place of a heat alarm.

Sec. 6.100.170 – Fire Safety During Construction and Demolition.

Section 3303.5 is amended to read as follows:

3303.5 Fire watch. Where required by the Fire Code Official or the site safety plan established in accordance with Section 3303.1, a fire watch shall be provided for building demolition and for building construction. Fire watch is not intended to facilitate occupancy during ongoing construction in a new building.

Section 3303.7 is added to read as follows:

3303.7 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)**.**

Sec. 6.100.180 – Fire Department Site Access and Water Supply.

Section 3307.1.2 is amended to read as follows:

3307.1.2 Stairways Required. Each level above the first story in multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

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

Section 3307.1.4 is added to read as follows:

3307.1.4 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 written site safety plan as required by Section 3303.1.

Section 3307.6 is added to read as follows:

3307.6 Fire Department Access Roadways. All construction sites shall be accessible by fire department apparatus by means of roadways having an all-weather driving service of not less than 20ft. of unobstructed width. The roads shall have the ability to withstand the live loads of fire apparatus, and have a minimum 13 ft. 6 in. of vertical clearance. Dead end fire access roads in excess of 150 ft. in length shall be provided with approved turnarounds.

When approved by the Fire Code Official, temporary access roadways may be utilized until such time that the permanent roadways are installed. As a minimum, the roadway shall consist of a compacted subbase and six (6) inches of road base material (Class 2 aggregate base rock) both compacted to a minimum 95% and sealed. The perimeter edges of the roadway shall be contained and delineated by curb and gutter or other approved method. The use of geotextile reinforcing fabric underlayment or soils lime-treatment may be required if so determined by the project civil engineer. Provisions for surface drainage shall also be provided where necessary. The integrity of the roadway shall be maintained at all times.

Sec. 6.100.190 – Completion Before Occupancy.

Section 3313.1 is added to read as follows:

Section 3313.1 Completion Before Occupancy. In buildings where an automatic sprinkler system is required by this Code or the California Building Code, it shall be unlawful to occupy any portion of a building or structure until the automatic sprinkler system installation has been tested and approved.

In new buildings of combustible construction where automatic fire sprinkler systems are required to be installed, the system shall be placed in service as soon as possible. Immediately upon the completion of sprinkler pipe installation on each floor level, the piping shall be hydrostatically tested and inspected. After inspection approval from the Fire Department, each floor level of sprinkler piping shall be connected to the system supply riser and placed into service with all sprinkler heads uncovered. Protective caps may be installed on the active sprinklers during the installation of drywall, texturing and painting, but shall be removed immediately after this work is completed. For system activation notification, an exterior audible waterflow alarm shall be installed and connected to the sprinkler waterflow device prior to installation of the monitoring system.

For buildings equipped with fire sprinkler systems that are undergoing alterations, the sprinkler system(s) shall remain in service at all times except when system modifications are necessary. Fire sprinkler systems undergoing modifications shall be returned to service at the end of each workday unless otherwise approved by the Fire Department. The General contractor or his/her designee shall check the sprinkler control valve(s) at the end of each workday to confirm that the system has been restored to service.

Sec. 6.100.200 – Temporary Heating and Cooking Operations.

Section 4103.1 is amended to read as follows:

4103.1 Portable unvented heaters. Portable unvented fuel-fired heating equipment shall be prohibited in occupancies in Groups A, B, E, I, R-1, R-2, R2.1, R2.2, R-3, R3.1 and R-4 and ambulatory care facilities.

Exceptions:

1. Portable unvented fuel-fired heaters listed and labeled in accordance with UL 647 are permitted to be used in one and two-family dwellings, where operated and maintained in accordance with the manufacturer's instructions.

2. Portable outdoor gas-fired heating appliances in accordance with Section 4103.1.2.

Section 4103.1.2.1.1 is amended to read as follows:

4103.1.2.1.1 Prohibited locations. The storage or use of portable outdoor gas-fired heating appliances is prohibited in any of the following locations:

1. Inside of any occupancy where connected to the fuel gas container.
2. Inside of tents, canopies and membrane structures.
3. On exterior balconies, and rooftops.

Sec. 6.100.210 – Immersion Heaters.

Section 4106.1 is added to read as follows:

4106.1 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.

Sec. 6.100.220 – Hazardous Materials-General Provisions.

Section 5001.2.2.2 is amended 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 and toxic materials.
2. Corrosive materials.
3. Moderately toxic gas.
4. Health hazards - Other.

Section 5002.1 is amended to read as follows:

5002.1 Definitions. The following terms are defined in Chapter 2:

BOILING POINT.
CEILING LIMIT.
CHEMICAL.
CHEMICAL NAME.
CLOSED CONTAINER.
CONTAINER.
CONTROL AREA.
CORROSIVE LIQUIDS.
CYLINDER.
DAY BOX.
DEFLAGRATION.
DESIGN PRESSURE.
DETACHED BUILDING.
DISPENSING.
EXCESS FLOW CONTROL.
EXHAUSTED ENCLOSURE.
EXPLOSION.
FLAMMABLE VAPORS OR FUMES.
GAS CABINET.
GAS ROOM.
HANDLING.
HAZARDOUS MATERIALS.
HEALTH HAZARD.
HEALTH HAZARD – OTHER.
IMMEDIATELY DANGEROUS TO LIFE AND HEALTH (IDLH).
INCOMPATIBLE MATERIALS.
LIQUID.
LOWER EXPLOSIVE LIMIT (LEL).
LOWER FLAMMABLE LIMIT (LFL).
MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA.
MODERATELY TOXIC GAS.
NORMAL TEMPERATURE AND PRESSURE (NTP).
OUTDOOR CONTROL AREA.
PERMISSIBLE EXPOSURE LIMIT (PEL).
PESTICIDE.
PHYSICAL HAZARD.
PRESSURE VESSEL.
SAFETY CAN.
SAFETY DATA SHEET (SDS).
SECONDARY CONTAINMENT.
SEGREGATED.
SOLID.
SPILL CONTROL.
STORAGE, HAZARDOUS MATERIALS.

SYSTEM.
TANK, ATMOSPHERIC.
TANK, PORTABLE.
TANK, STATIONARY.
TANK VEHICLE.
UNAUTHORIZED DISCHARGE.
USE (MATERIAL).
VAPOR PRESSURE.

Section 5003.1.3.1 is added to read 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 6004.2.1.4 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.

Section 5003.1.5 is added to read as follows:

5003.1.5 Health Hazards - Other. 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.

Section 5003.1.6 is added to read as follows:

5003.1.6 Additional Spill Control and Secondary Containment Requirements. In addition to the requirements set forth in Section 5004.2. An approved containment system is required for any quantity of hazardous materials that 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. The approved containment system may be required to include a combination of spill control and secondary containment meeting the design and construction requirements set forth in Section 5004.2.

Section 5003.2.2.1 is amended to read 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 that are 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. Manual valves or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing and provided with ready access at the following locations:
    3.1. The point of use.
    3.2. The tank, cylinder or bulk source.

4. Manual emergency shutoff valves and controls for remotely activated emergency shutoff valves shall be clearly visible, provided with ready access and identified in an approved manner.

5. Backflow prevention or check valves shall be provided where 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 or 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 or leaks shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Table 6004.2.1.4. 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.

Section 5003.2.2.2 is amended 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 highly toxic, toxic, or highly volatile corrosive liquids and gases shall have welded or brazed connections throughout except for connections within an 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.

3. All primary piping for toxic, highly toxic and moderately toxic gases shall pass a helium leak test of 1x10-9 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.

Exception: Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed spaces above other occupancies where installed in accordance with Section 415.11.7.4 of the *California Building Code* for Group H-5 occupancies.

Section 5003.5.2 is added to read as follows:

5003.5.2 Ventilation Ducting. Ducts venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

Section 5003.5.3 is added to read 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.

Section 5003.10.4 is amended to read as follows**:**

5003.10.4 Elevators utilized to transport hazardous materials.

5003.10.4.1 When transporting hazardous materials, elevators shall have no other passengers other than the individual(s) handling the chemical transport cart.

5003.10.4.1.1 When transporting cryogenic or liquefied compressed gases, there shall be no occupants in the elevator.

5003.10.4.2 Hazardous materials liquid containers shall have a maximum capacity of 20 liters (5.28 gal).

5003.10.4.3 Toxic, moderately toxic, and highly-toxic gases shall be limited to a container of a maximum water capacity of 1 pound.

5003.10.4.4 When transporting cryogenic or liquefied compressed gases, means shall be provided to prevent the elevator from being summoned to other floors.

Section 5004.2.1 is amended to read as follows:

5004.2.1 Spill Control for Hazardous Material Liquids. Rooms, buildings or areas used for storage of hazardous material 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 and outdoor 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.

Section 5004.2.2.2 is amended to read as follows:

5004.2.2.2 Incompatible Materials. Incompatible materials shall be separated from each other in independent secondary containment systems.

Sec. 6.100.230 – Corrosive Materials.

Section 5402.1 is amended to read as follows:

5402.1 Definition. The following terms are defined in Chapter 2:

CORROSIVE.
CORROSIVE LIQUIDS.

Sec. 6.100.240 – Explosives and Fireworks.

Section 5601.1.3 is amended to read as follows:

5601.1. 3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California Office of the State Fire Marshal, are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.

2. The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.

Sec. 6.100.250 Flammable and Combustible Liquids.

Section 5704.2.7.5.8 is amended to read as follows:

5704.2.7.5.8 Overfill Prevention. An approved means or method in accordance with Section 5704.2.9.7.5 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 Section 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350.

Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less need only comply with Section 5704.2.9.7.5 (Item 1, Sub-item 1.1).

An approved means or method in accordance with Section 5704.2.9.7.5 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 need only comply with Section 5704.2.9.7.5 (Item 1, Sub-item 1.1).

Section 5704.2.7.5.9 is added to read as follows:

5704.2.7.5.9 Automatic and/or Remote 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.

Sec. 6.100.260 – On-Demand Mobile Fueling Operations.

Section 5707 is amended to read as follows:

5707.3.3 Site plan. A site plan shall be developed for each location or area at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:

1. All buildings and structures.
2. Lot lines or property lines.
3. Electric car chargers.
4. Solar photovoltaic parking lot canopies.
5. Appurtenances on-site and their use or function.
6. All uses adjacent to the lot lines of the site.
7. Fueling locations.
8. Locations of all storm drain openings and adjacent waterways or wetlands.
9. Information regarding slope, natural drainage, curbing and impounding.
10. How a spill will be kept on the site property.
11. Scale of the site plan.

Sec. 6.100.270 – Flammable Gases and Flammable Cryogenic Fluids.

Section 5809.3.4 is amended to read as follows:

5809.3.4 Site plan. For other than emergency roadside service, a site plan shall be developed for each location at which mobile gaseous hydrogen fueling occurs. The site plan shall be in sufficient detail to indicate: all buildings, structures, lot lines, property lines and appurtenances on site and their use and function, and the scale of the site plan.

Sec. 6.100.280 – Highly Toxic and Toxic Materials.

Chapter 60 title is amended to read as follows:

CHAPTER 60 HIGHLY TOXIC MATERIAL, TOXIC MATERIALS and MODERATELY TOXIC GASSES

Section 6001.1 is amended to read as follows:

6001.1 Scope. The storage and use of highly toxic and toxic and/or moderately toxic materials shall comply with this Chapter. Compressed gases shall also comply with Chapter 53.

Exceptions:

1. Display and storage in Group M and storage in Group S occupancies complying with Section 5003.11.

2. Conditions involving pesticides or agricultural products as follows:

    2.1 Application and release of pesticide, agricultural products and materials intended for use in weed abatement, erosion control, soil amendment or similar applications when applied in accordance with the manufacturer's instruction and label directions.

    2.2 Transportation of pesticides in compliance with the Federal Hazardous Materials Transportation Act and regulations thereunder.

    2.3 Storage in dwellings or private garages of pesticides registered by the US Environmental Protection Agency to be utilized in and around the home, garden, pool, spa and patio.

Section 6002.1 is amended to read as follows:

6002.1 Definitions.

The following terms are defined in Chapter 2:

CONTAINMENT SYSTEM.

CONTAINMENT VESSEL.

EXCESS FLOW VALVE.

HIGHLY TOXIC.

MODERATELY TOXIC GAS.

OZONE-GAS GENERATOR.

PHYSIOLOGICAL WARNING THRESHOLD.

REDUCED FLOW VALVE.

TOXIC.

Section 6004 title is amended to read as follows:

SECTION 6004 HIGHLY TOXIC, MODERATELY TOXIC, AND TOXIC COMPRESSED GASES

Section 6004.1 is amended to read as follows:

6004.1 General. The storage and use of highly toxic, toxic, and moderately toxic compressed gases shall comply with this section.

6004.1.1 Special limitations for indoor storage and use by occupancy. The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases in certain occupancies shall be subject to the limitations contained in Sections 6004.1.1.1 through 6004.1.1.3.

6004.1.1.1 Group A, E, I or U occupancies. Moderately toxic, toxic and highly toxic compressed gases shall not be stored or used within Group A, E, I or U occupancies.

Exception: Cylinders not exceeding 20 cubic feet (0.566 m^3) at normal temperature and pressure (NTP) are allowed within gas cabinets or fume hoods.

6004.1.1.2 Group R occupancies. Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in Group R occupancies.

6004.1.1.3 Offices, retail sales and classrooms. Moderately toxic, toxic and highly toxic compressed gases shall not be stored or used in offices, retail sales or classroom portions of Group B, F, M or S occupancies.

Exception: In classrooms of Group B occupancies, cylinders with a capacity not exceeding 20 cubic feet (0.566 m3) at NTP are allowed in gas cabinets or fume hoods.

Section 6004.2 is amended to read as follows:

6004.2 Indoor storage and use.
The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.2.1 through 6004.2.2.10.3.

Section 6004.2.1 is amended to read as follows:

6004.2.1 Applicability. The applicability of regulations governing the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 6004.2.1.1 through 6004.2.1.4.

Section 6004.2.1.4 is added to read as follows:

6004.2.1.4 Quantities exceeding the minimum threshold quantities but not exceeding the maximum allowable quantities per control area. The indoor storage or use of highly toxic, toxic, and moderately toxic gases in amounts exceeding the minimum threshold quantities per control area set forth in Table 6004.2.1.4 but not exceeding maximum allowable quantity per control area set forth in Table 5003.1.1(2) shall be in accordance with Sections 5001, 5003, 6001, 6004.1, and 6004.4

Table 6004.2.1.4 is added to read as follows:

Minimum Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Indoor Storage and Use	
Highly Toxic	20
Toxic	405 cubic feet
Moderately Toxic	405 cubic feet

Section 6004.4 is added to read as follows:

6004.4. General indoor requirements. The general requirements applicable to the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.4 through 6004.4.8.2

6004.4.1 Cylinder and tank location. Cylinders shall be located within gas cabinets, exhausted enclosures or gas rooms. Portable and stationary tanks shall be located within gas rooms or exhausted enclosures.

Exceptions:

1. Where a gas detection system is provided in accordance with 6004.4.8

6004.4.2. Ventilated areas. The room or area in which gas cabinets or exhausted enclosures are located shall be provided with exhaust ventilation. Gas cabinets or exhausted enclosures shall not be used as the sole means of exhaust for any room or area.

6004.4.3. Piping and controls. In addition to the requirements of Section 5003.2.2, piping and controls on stationary tanks, portable tanks, and cylinders shall comply with the following requirements:

1. Stationary tanks, portable tanks, and cylinders in use shall be provided with a means of excess flow control on all tank and cylinder inlet or outlet connections.

Exceptions:

1. Inlet connections designed to prevent backflow.
2. Pressure relief devices.

6004.4.4 Gas rooms. Gas rooms shall comply with Section 5003.8.4 and both of the following requirements:

1. The exhaust ventilation from gas rooms shall be directed to an exhaust system.
2. Gas rooms shall be equipped with an approved automatic sprinkler system. Alternative fire- extinguishing systems shall not be used.

6004.4.5 Treatment systems. The exhaust ventilation from gas cabinets, exhausted enclosures and gas rooms, required in Section 6004.4.1 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 Chapter 5 of the California Mechanical Code.

Exceptions:

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

    1.1 Valve outlets are equipped with gas- tight outlet plugs 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. Highly toxic, toxic, and moderately toxic gases —use. Treatment systems are not required for highly toxic, toxic, and moderately toxic gases supplied by stationary tanks, portable tanks, or cylinders where a gas detection system complying with Section 6004.4.8 and listed or approved automatic-closing fail- safe valves are provided. The gas detection system shall have a sensing interval not exceeding 5 minutes. Automatic-closing fail- safe valves shall be located immediately adjacent to cylinder valves and shall close when gas is detected at the permissible exposure limit (PEL) by a gas sensor monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room.

6004.4.5.1. Design. Treatment systems shall be capable of diluting, adsorbing, absorbing, containing, neutralizing, burning or otherwise processing the contents of the largest single vessel of compressed gas. Where a total containment system is used, the system shall be designed to handle the maximum anticipated pressure of release to the system when it reaches equilibrium.

6004.4.5.2. Performance. Treatment systems shall be designed to reduce the maximum allowable dis- charge concentrations of the gas to one-half immediate by dangerous to life and health (IDLH) at the point of discharge to the atmosphere. Where more than one gas is emitted to the treatment system, the treatment system shall be designed to handle the worst-case release based on the release rate, the quantity and the IDLH for all compressed gases stored or used.

6004.4.5.3. Sizing. Treatment systems shall be sized to process the maximum worst-case release of gas based on the maximum flow rate of release from the largest

vessel utilized. The entire contents of the largest compressed gas vessel shall be considered.

6004.4.5.4 Stationary tanks. Stationary tanks shall be labeled with the maximum rate of release for the compressed gas contained based on valves or fittings that are inserted directly into the tank. Where multiple valves or fittings are provided, the maximum flow rate of release for valves or fittings with the highest flow rate shall be indicated. Where liquefied compressed gases are in contact with valves or fittings, the liquid flow rate shall be utilized for computation purposes. Flow rates indicated on the label shall be converted to cubic feet per minute (cfm/min) (m3/s) of gas at normal temperature and pressure (NTP).

6004.4.5.5 Portable tanks and cylinders. The maximum flow rate of release for portable tanks and cylinders shall be calculated based on the total release from the cylinder or tank within the time specified in Table 6004.2.2.7.5. Where portable tanks or cylinders are equipped with approved excess flow or reduced flow valves, the worst-case release shall be determined by the maximum achievable flow from the valve as determined by the valve manufacturer or compressed gas supplier. Reduced flow and excess flow valves shall be permanently marked by the valve manufacturer to indicate the maximum design flow rate. Such markings shall indicate the flow rate for air under normal temperature and pressure.

6004.4.6. Emergency power. Emergency power shall be provided for the following systems in accordance with Section 1203:

1. Exhaust ventilation system.
2. Treatment system.
3. Gas detection system.
4. Smoke detection system.

6004.4.6.1. Fail-safe systems. Emergency power shall not be required for mechanical exhaust ventilation and treatment systems where approved fail-safe systems are installed and designed to stop gas flow.

6004.4.7. Automatic fire detection system. An approved automatic fire detection system shall be installed in rooms or areas where highly toxic, toxic, and moderately toxic compressed gases are stored or used. Activation of the detection system shall sound a local alarm. The fire detection system shall comply with Section 907.

6004.4.8. Gas detection system. A gas detection system complying with Section 916 shall be provided to detect the presence of gas at or below the PEL or ceiling limit of the gas for which detection is provided.

Exceptions:

1. A gas detection system is not required for toxic and moderately toxic gases when the physiological warning threshold level for the gas is at a level below the accepted PEL for the gas.

2. A gas detection system is not required for highly toxic, toxic, and moderately toxic gases where cylinders, portable tanks, and all non-continuously welded connects are within a gas cabinet or exhausted enclosures.

6004.4.8.1. Alarms. The gas detection system shall initiate a local alarm and transmit a signal to an approved location.

6004.4.8.2. Shut off of gas supply. The gas detection system shall automatically close the shut off valve at the source on gas supply piping and tubing related to the system being monitored for whichever gas is detected.

Exception: Automatic shutdown is not required for highly toxic, toxic, and moderately toxic compressed gas systems where all of the following controls are provided:

1. Constantly attended / supervised.
2. Provided with emergency shutoff valves that have ready access.

Sec. 6.100.290 – Pyrophoric Materials.

Section 6405.3.1 is added to read 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.

Sec. 6.100.300 – Appendix B-Fire Flow Requirements for Buildings.

Section B105.2 is amended to read as follows:

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.1(2) and B105.2.

Exceptions: [SFM] Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

1. California State Parks buildings of an accessory nature (restrooms).

2. Safety roadside rest areas (SRRA), public restrooms.

3. Truck inspection facilities (TIF), CHP office space and vehicle inspection bays.

4. Sand/salt storage buildings, storage of sand and salt.

The maximum fire flow reduction for all commercial buildings greater than 30,000 square feet and residential podium buildings shall not exceed 25 percent of the fire flow specified in Table B105.1(2). The maximum fire flow reduction for all other buildings shall not exceed 50 percent of the fire flow specified in Table B105.1(2).

Sec. 6.100.310 – Appendix C-Fire Hydrant Locations and Distribution.

Section C102.1 is amended to read as follows:

C102.1 Minimum number of fire hydrants for a building. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1, utilizing the base fire flow without fire sprinkler reduction.

Sec. 6.100.320 – Appendix D-Fire Apparatus Access Roads.

Section D103.2 is amended to read as follows:

D103.2 Grade. The maximum grade of a fire department apparatus access road shall not exceed 15-percent, unless approved by the fire code official**.**

Section D103.3 is amended to read as follows:

D103.3 Turning radius. The required turning radius of fire apparatus access roads shall be a minimum of 30 feet inside, and a minimum of 50 feet outside.

Section D103.4 is amended to read as follows:

D103.4 Dead ends. Dead-end fire apparatus access roads and/or driveways in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Santa Clara County Fire Department apparatus access and turnaround standards.

Section D103.6 is amended to read as follows:

D103.6 Signs. Where required by the Fire Code Official, fire apparatus access roads shall be designated and marked as a fire lane as set forth in Section 22500.1 of the California Vehicle Code and the Santa Clara County Fire Department A-6 Standard. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

ARTICLE XI. CALIFORNIA EXISTING BUILDING CODE

Sec. 6.110.010 – Adopted.

The 2024 International Existing Building Code (IEBC), as amended by the State of California Building Standards Commission and known as the 2025 California Existing Building Code (CEBC), California Code of Regulations, Title 24, Part 10, including Chapter 14, Appendices A1, A2, A3, A4, and A5, is adopted by reference.

ARTICLE XII. CALIFORNIA GREEN BUILDING STANDARDS CODE

Sec. 6.120.010. – Adopted.

The 2025 California Green Building Standards Code (CGBSC), California Code of Regulations, Title 24, Part 11, Chapters 1 through 8 only, are adopted by reference and amended as follows.

Sec. 6.120.050 – AC to Heat Pump Reach Code

Section A4.204.1 is adopted and amended to read as follows:

A4.204.1 Energy Efficiency. Alterations to existing residential buildings shall comply with Section~~s~~ A4.204.1.1.

A4.204.1.1 Altered Space-Conditioning System Serving Existing Single-Family Dwelling Units – Mechanical Cooling. When a space-conditioning system serving an existing single-family dwelling unit is altered in climate zones 1 through 14 and 16 by installation or replacement of an air conditioner, the altered system shall comply with either a or b below in addition to the requirements for installation specified by Title 24, Part 6, Sections 150.2(b)1E and 150.2(b)1F:

a. A heat pump shall be the primary heating source and sized according to the system selection requirements specified by Title 24, Part 6 of Section 150.0(h)5. Supplemental heating may be provided by gas furnace or electric resistance heating as specified in Title 24, Part 6, Sections 150.0(h)7 and 150.0(i); or

b. An air conditioner shall meet all the requirements in either subsection I or II below:

   I. Systems with Existing Duct Distribution Systems:

      A. The duct system measured air leakage shall be equal to or less than 10 percent of the system air handler airflow as confirmed through field verification and diagnostic testing, per the requirements in Title 24, Part 6, Reference Residential Appendix Section RA3.1.4.3.1; and

         Exception 1 to A4.204.1.1bIA. If it is not possible to meet the duct sealing requirements, all accessible leaks shall be sealed and verified

through a visual inspection and a smoke test by a certified ECC-Rater utilizing the methods specified in Reference Residential Appendix Section RA3.1.4.3.5.

Exception 2 to A4.204.1.1bIA: Existing duct systems, constructed, insulated or sealed with asbestos.

B. Demonstrate, in every control mode, airflow greater than or equal to 300 CFM per ton of nominal cooling capacity through the return grilles, and an air-handling unit fan efficacy less than or equal to 0.45 W/CFM. The airflow rate and fan efficacy requirements in this section shall be confirmed through field verification and diagnostic testing, following the procedures outlined in Title 24, Part 6, Reference Residential Appendix RA3.3; and

Exception 1 to A4.204.1.1bIB: Systems unable to comply with the minimum airflow rate and system efficacy requirements shall demonstrate compliance by satisfying all of the following:

1. Following the procedures in Section RA3.3.3.1.5;
2. Installing a system thermostat that conforms to the specifications in Section 110.12;
3. For standard ducted systems (without zoning dampers), meet the applicable minimum total return filter grille nominal area requirements in Table 150.0-B or 150.0-C as confirmed by field verification and diagnostic testing in accordance with the procedures in Reference Residential Appendix Sections RA3.1.4.4 and RA3.1.4.5. The design clean-filter pressure drop requirements specified by Section 150.0(m)12D for the system air filter(s) shall conform to the requirements given in Tables 150.0-B and 150.0-C.

Exception 2 to Section A4.204.1.1bIB: Multispeed compressor systems or variable speed compressor systems shall verify air flow (cfm/ton) and fan efficacy (Watt/cfm) for system operation at the maximum compressor speed and the maximum air handler fan speed.

Exception 3 to Section A4.204.1.1bIB: Gas furnace air-handling units manufactured prior to July 3, 2019, shall comply with a fan efficacy value less than or equal to 0.58 W/cfm as confirmed by field verification and diagnostic testing in accordance with the procedures given in Reference Residential Appendix RA3.3.

C. ~~IV.~~ In all climate zones, refrigerant charge verification requirements shall meet the requirements in Title 24, Part 6 Section 150.2(b)1Fiib, including the minimum airflow rate specified in Section 150.2(b)1Fiia; and

D. ~~V.~~ Vented attics shall have insulation installed to achieve a U-factor of 0.020 or insulation installed at the ceiling level shall result in an insulated thermal resistance of R-49 or greater for the insulation

alone; luminaires not rated for insulation contact must be replaced or retrofitted with a fireproof cover that allows for insulation to be installed directly over the cover; and

Exception 1 to Section A4.204.1.1(b)ID: Dwelling units with at least R-38 existing insulation installed at the ceiling level.

Exception 2 to Section A4.204.1.1(b)ID: Dwelling units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section A4.204.1.1(b)ID: Dwelling units with knob and tube wiring located in the vented attic.

Exception 4 to Section A4.204.1.1(b)ID: Where the accessible space in the attic is not large enough to accommodate the required R-value, the entire accessible space shall be filled with insulation provided such installation does not violate Section 806.3 of Title 24, Part 2.5.

E. ~~VI.~~ Air seal all accessible areas of the ceiling plane between the attic and the conditioned space including all joints, penetrations and other openings that are potential sources of air leakage by caulking, gasketing, weather-stripping or otherwise sealing to limit infiltration and exfiltration.

Exception 1 to Section A4.204.1.1bIE: Dwelling units with at least R-38 existing insulation installed at the ceiling level.

Exception 2 to Section A4.204.1.1 bIE: Dwelling units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section A4.204.1.1bIE: Dwelling units with atmospherically vented space heating or water heating combustion appliances located inside the pressure boundary of the dwelling unit.

II. Entirely New or Complete Replacement Duct Systems:

A. R-8 duct insulation shall be installed for all new ducts located in unconditioned space; and

B. The total duct system measured air leakage shall be equal to or less than 5 percent of the system air handler airflow as confirmed through field verification and diagnostic testing, per the requirements in Title 24, Part 6, Reference Residential Appendix Section RA3.1.4.3.1; and

C. Demonstrate, in every control mode, airflow greater than or equal to 350 CFM per ton of nominal cooling capacity through the return grilles, and an air-handling unit fan efficacy less than or equal to 0.35 W/CFM. The airflow rate and fan efficacy requirements in this section shall be confirmed through field verification and diagnostic testing,

following the procedures outlined in Title 24, Part 6, Reference Residential Appendix RA3.3; and

D. In all climate zones, refrigerant charge verification requirements shall meet the requirements in Title 24, Part 6 Section 150.2(b)1Fiib; and

E. In Climate Zones 1-4, 6, and 8-16 if the air handler and ducts are located within a vented attic, vented attics shall have insulation installed to achieve a U-factor of 0.020 or insulation installed at the ceiling level shall result in an insulated thermal resistance of R-49 or greater for the insulation alone; luminaires not rated for insulation contact must be replaced or retrofitted with a fireproof cover that allows for insulation to be installed directly over the cover; and

Exception 1 to Section A4.204.1.1bIIE: In Climate Zones 1, 3, and 6, dwelling units with at least R-19 existing insulation installed at the ceiling level.

Exception 2 to Section A4.204.1.1bIIE: Dwelling units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section A4.204.1.1bIIE: Dwelling units with knob and tube wiring located in the vented attic.

Exception 4 to Section A4.204.1.1bIIE: Where the accessible space in the attic is not large enough to accommodate the required R-value, the entire accessible space shall be filled with insulation provided such installation does not violate Section 806.3 of Title 24, Part 2.5.

F. In Climate Zones 2, 4, and 8-16, air seal all accessible areas of the ceiling plane between the attic and the conditioned space including all joints, penetrations and other openings that are potential sources of air leakage by caulking, gasketing, weather-stripping or otherwise sealing to limit infiltration and exfiltration.

Exception 1 to Section A4.204.1.1bIIF: Dwelling units with at least R-19 existing
insulation installed at the ceiling level.

Exception 2 to Section A4.204.1.1bIIF: Dwelling units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section A4.204.1.1bIIF: Dwelling units with atmospherically vented space heating or water heating combustion appliances located inside the pressure boundary of the dwelling unit.

Exception 1 to Section A4.204.1.1: Where the capacity of the existing main electrical service panel is insufficient to supply the electrical capacity of a heat pump and where the existing main electrical service panel is sufficient to supply a new or replacement air

conditioner, as calculated according to the requirements of California Electrical Code Article 220.83 or Article 220.87. Documentation of electrical load calculations in accordance with Article 220 must be submitted to the enforcement agency prior to permitting for both the heat pump and proposed air conditioner.

Exception 2 to Section A4.204.1.1: Where the required capacity of a heat pump to meet the system selection requirements of Section 150.0(h)5 is greater than or equal to 12,000 Btu/h more than the greater of the required capacity of an air conditioner to meet the design cooling load OR the capacity of the existing air conditioner. Documentation of heating and cooling load calculations in accordance with 150.0(h) must be submitted to the enforcement agency prior to permitting for both the heat pump and proposed air conditioner.

ARTICLE XIII. CALIFORNIA REFERENCE STANDARDS CODE

Sec. 6.130.010. – Adopted.

The 2025 California Referenced Standards Code, California Code of Regulations, Title 24, Part 12, is adopted by reference.

ARTICLE XIV. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 6.140.010. – Adopted.

The 2024 International Property Maintenance Code, as published by the International Code Council (ICC), is adopted by reference with Section 102.3 is amended to read as follows.

Sec. 6.140.020. – Application of other codes.

Sec. 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the California Building Code, California Residential Code, California Plumbing Code, California Electrical Code, California Mechanical Code, and California Wildland Urban Interface Code. Nothing in this code shall be construed to cancel, modify, or set aside any provisions of the Town of Los Gatos Zoning Code.

ARTICLE XV. – EXPEDITED PERMIT PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

Sec. 6.150.010 – Purpose and intent.

These provisions are intended to establish an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014, CA Govt. Code Section 65850.5) to achieve timely and cost-effective installations of small residential rooftop solar energy systems. These provisions are intended to encourage the use of solar systems by removing unreasonable barriers, minimizing costs

to property owners and the Town, and expanding the ability of property owners to install solar energy systems. These provisions allow the Town to achieve these goals while protecting the public health and safety.

Sec. 6.150.020 – Definitions.

The following words, terms, and phrases, when used in this division, shall have the following meanings ascribed to them in this section:

Electronic signature means a digital signature or digital stamp that is issued by a certificate authority approved by the California Secretary of State, and which meets the requirements of Government Code Section 16.5.

Electronic submittal means the utilization of one (1) or more of the following:

1. Email;
2. The Internet;
3. Facsimile.

Reasonable restrictions on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance means:

2. *For Water Heater Systems or Solar Swimming Pool Heating Systems:* an amount exceeding ten (10) percent of the cost of the system, but in no case more than one thousand dollars ($1,000.00), or decreasing the efficiency of the solar energy system by an amount exceeding ten (10) percent, as originally specified and proposed.
3. *For Photovoltaic Systems:* an amount not to exceed one thousand dollars ($1,000.00) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding ten (10) percent as originally specified and proposed.

Small residential rooftop solar energy system means all of the following:

1. A solar energy system that is no larger than ten (10) kilowatts alternating current nameplate rating or thirty (30) kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the Town and all state and Town health and safety standards.
3. A solar energy system that is installed on a single or duplex-family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height as defined by the Town.

Solar Energy System means either of the following:

1. Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.
2. Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.

Specific, adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

Sec. 6.150.030 – Applicability.

(a) These provisions apply to the permitting of all small residential rooftop solar energy systems in the Town.
(b) Small residential rooftop solar energy systems legally established or permitted prior to October 31, 2015, are not subject to the requirements of these provisions unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

Sec. 6.150.040 – Solar energy system requirements.

(a) All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the Town.
(b) Solar energy systems for heating water in single-family residences and for heating water in commercial buildings or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.
(c) Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

Sec. 6.150.050 – Applications and documents.

(a) All documents required for the submission of an expedited solar energy system application shall be made available on the publicly accessible Town website.
(b) Electronic submittal of the required permit application and documents by email, or the Internet, shall be made available to all small residential rooftop solar energy system permit applicants.
(c) An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.
(d) The Town's Building Division shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review.
(e) The small residential rooftop solar system permit process, standard plan(s), and checklist(s) shall substantially conform to recommendations for expedited permitting, including the checklist and standard plans contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.

(f) All fees prescribed for the permitting of small residential rooftop solar energy system must comply with Government Code Section 65850.55, Government Code Section 66015, Government Code Section 66016, and State Health and Safety Code Section 17951.

Sec. 6.150.060 – Permit review and inspection requirements.

(a) The Town's Building Division shall adopt an administrative, nondiscretionary review process to expedite approval of small residential rooftop solar energy systems. The Building Division shall issue a building permit, the issuance of which is nondiscretionary, on the same day for over-the-counter applications or within one (1) to three (3) business days for electronic applications upon receipt of a complete application that meets the requirements of the approved checklist and standard plan. The Building Official may require an applicant to apply for a minor residential permit if the official finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the Town Planning Commission.
(b) Review of the application shall be limited to the Building Official's review of whether the application meets local, state, and federal health and safety requirements.
(c) If a minor residential permit is required, the Town may deny an application for the minor residential if it makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the Town Planning Commission.
(d) Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.
(e) A feasible method to satisfactorily mitigate or avoid the specific, adverse impact includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the Town on another similarly situated application in a prior successful application for a permit. The Town shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.
(f) If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.
(g) Only one (1) inspection shall be required and performed by the Town for small residential rooftop solar energy systems eligible for expedited review.
(h) The inspection shall be done in a timely manner and should include consolidated inspections. An inspection will be scheduled within two (2) business days of a request and provide a two-hour inspection window.

(i) If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized but need not conform to the requirements of these provisions.

ARTICLE XVI. BUILDING RELOCATION CODE OF THE TOWN

DIVISION 1. GENERALLY

Sec. 6.160.010. – Title.

This article is the Building Relocation Code of the Town of Los Gatos.

Sec. 6.160.020. – Interference with demolition or removal of building.

It shall be unlawful for any person to interfere with or obstruct the Building Official, any person engaged by the Town, or any representative of any surety, engaged in inspection or in the work of completing, demolishing, or removing any building or structure for which a building relocation permit has been issued under Division 2 of this article, after a default has occurred in timely completion of the work or in the performance of the other terms or conditions of the permit.

DIVISION 2. PERMIT

Sec. 6.160.030 – Required, exceptions.

It shall be unlawful for any person to move any building or structure on any parcel of land in the Town (except a contractor's tool house, construction building or similar structure which is moved as construction work requires) without first obtaining a permit and posting a bond as provided in this article.

Sec. 6.160.040 – Application.

An application for a permit required by the provisions of this division shall be made in writing on the form provided by the Town. The application shall:

(1) Be signed by the permittee or the permittee's authorized agent (who may be required to submit evidence proving authority);
(2) Be accompanied by plans, photographs or other substantiating data as reasonably may be required by the Building Official; and
(3) Contain such information as reasonably may be required by the Building Official in order to carry out the purposes of this chapter.

Sec. 6.160.050 – Review of application, duty of applicant.

The application for a permit required by the provisions of this division, including the plans and other data filed with it, shall be checked by the Building Official, who is

authorized to conduct any investigation in connection therewith may be deemed reasonably necessary. If, when the Building Official has completed such investigation and has notified the applicant that a permit will issue, the applicant fails for a period of sixty (60) days to post the bond and any other instrument required by this division, the application shall become void.

Sec. 6.160.060 – Issuance, fees.

(a) Subject to the requirements contained in this article, if in the judgment of the Building Official the conditions of the building or structure can be effectively and practically repaired or restored to comply with this Code, the Building Official shall issue a permit to the owner of the property where the building or structure is to be located.
(b) A permit fee shall be paid at the time of issuance of the permit. The amount of the fee shall be fixed by resolution of the Town Council.

Sec. 6.160.070 – When issuance prohibited.

The Building Official shall not issue a permit under this division for any building or structure:

(1) Which does not or cannot be repaired or modified to comply with this code, as it presently exists or hereafter may be amended;
(2) Which is so constructed or in such condition as to be a substandard building;
(3) Which is infested with pests or is unsanitary;
(4) Which is so dilapidated, defective, unsightly, or in such a condition of deterioration or disrepair that its relocation at the proposed site would cause appreciable harm to or be materially detrimental to the existing improvements on nearby property;
(5) If the proposed use is prohibited by the zoning ordinance;
(6) If the structure is of a type prohibited at the site of the proposed relocation by this code, or any other statute or ordinance; or
(7) If the structure or site has not received approval as prescribed in sections 29.20.140 through 29.20.155 of the Town Code. The body granting such approval shall first consider and determine that the proposed site and building are compatible in use, size and architecture with other buildings and structures in the area of the proposed relocation.

Sec. 6.160.080 – Conditions of issuance.

In connection with the issuance of any permit under this division, the Building Official or the body granting architecture and site approval or both may attach to the permit such conditions which are necessary to assure compliance with the purposes of this article and the zoning ordinance, and to assure that the building or structure when relocated will be compatible with and not detrimental or injurious to the buildings or structures in the area of the proposed relocation. Such conditions may include, but are not limited to:
(1) A limitation of the period of time required to complete the work of relocation;
(2) Requirements for changes, alterations, additions or repairs;

(3) The providing of all utility services by the time the building relocation is finished;
(4) Provision for any improvement work or dedication provided for by the zoning ordinance;
(5) The applicant's written agreement to indemnify the Town for any and all damages or injury to Town property incurred in the course of the moving, including but not limited to damage or injury to streets, thoroughfares, pavements, curbs, gutters, sidewalks, sewers, public lighting equipment and plants.

Sec. 6.160.090 – Bond required.

(a) As a condition precedent to the issuance of any building relocation permit, the applicant shall post a surety bond, the form of which is subject to approval by the Town Attorney, issued by a surety company conducting business in the State. The penal sum of the bond shall be an amount equal to the estimated cost, plus ten (10) percent, of all the work required to perform the relocation to comply with all of the conditions of the permit. The cost estimate is made by the Building Official.
(b) The applicant, in lieu of posting a surety bond, may deposit with the town an amount equal to the required bond amount, in cash.

Sec. 6.160.100 – Conditions of bond.

A surety bond shall contain, and any deposit shall be subject to, the following conditions:

(1) All work, including performance of conditions of the permit (except for performance of conditions such as street improvements when provision is made in a contract with the Town to do the work at a later time) shall be performed and completed within one hundred twenty (120) days after the date of issuance of the permit. After that time, the permit expires.
(2) The time limit and expiration date of the permit may be extended for good cause after written request of both the principal and the surety. The request may be made either during or after the one-hundred-twenty-day period. If the Building Official decides to grant the request the Building Official shall notify the principal and surety in writing stating the new deadline. The Building Official need not grant the request if the work is not being done continuously and diligently, or if reasonable progress has not been made.
(3) The term of each bond shall begin on the date the bond instrument is delivered to the town and shall end upon the acceptance by the Building Official of performance of all the terms and conditions of the permit as satisfactory and complete.
(4) The Building Official, the surety and their representatives shall have access to the premises to inspect the progress of the work.
(5) Upon default by the principal, the surety shall be required to complete the work and to perform all conditions of the permit. The principal shall give the surety right-of-entry onto the site for those purposes.
(6) In the event of any default in the performance of any term or condition of the permit, or failure to complete the work before the permit expires, the surety or any

person employed or engaged on its behalf, or the building official, or any person employed or engaged on behalf of the Town may go on the premises to complete the required work or to remove or demolish the building or structure, and clear, clean and restore the site.

Sec. 6.160.110 – Default on bond.

(a) If the permittee as principal on the bond defaults in the performance of the conditions required by the permit, or fails to complete the work before the permit expires, the Building Official shall give notice in writing to the principal and the surety, stating the conditions which have not been complied with and the period of time deemed by the Building Official to be reasonably necessary for the completion of the work.
(b) After receipt of the notice, the surety, within the time therein specified, shall finish the work. When the principal has defaulted in any way, the surety, at its option, in lieu of completing the work required, may remove or demolish the building or structure and clear, clean and restore the site.

Sec. 6.160.120 – Bond other than surety bond--Default.

If a deposit has been made as provided in Section 6.140.090, the Building Official shall give notice of default, as provided in section 6.140.110, to the permittee. If the permittee does not perform within the time specified in the notice, the Building Official shall proceed without delay and without further notice or proceeding whatever to use the deposit, or any portion of the deposit necessary to cause the required work to be done by contract or otherwise at the Building Official's discretion, upon the completion of the work. The balance, if any, of the deposit, shall be returned to the depositor or to the depositor's successors or assigns after deducting the cost of the work plus ten (10) percent of the cost, which is an amount to defray the Town's cost in enforcement and administration.

Sec. 6.160.130 – Same--Release.

When a deposit has been made as provided in Section 6.140.090 and all requirements of the permit have been completed, the Building Official shall return the deposit to the depositor or to the depositor's successors or assigns, except any portion thereof that may have been used or deducted as provided in this section.

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This Town Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed, and the balance of the ordinance be enforced.

Section 4. Effect of Ordinance. Except as expressly modified in this Ordinance, all other sections set forth in the Los Gatos Town Code shall remain unchanged and shall be in full force and effect. However, all prior resolutions, or portions thereof, that are inconsistent with this Ordinance are repealed and of no further force and effect.

Section 5. Effective Date. This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on November 4, 2025, and adopted by the following vote as an ordinance of the Town of Los Gatos at a meeting of the Town Council of the Town of Los Gatos on December 2, 2025, and becomes effective January 1, 2026.

Section 6. Publication. The Town Clerk will publish this ordinance in a newspaper of general circulation within 15 days of its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its adoption, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the Town Council and a certified copy shall be posted in the office of the Town Clerk, pursuant to GC 36933(c)(1).

Section 7. CEQA. Adoption of this ordinance is not a project subject to CEQA, because it can be seen with certainty that it will not impact the physical environment. (CEQA Guidelines Section 15378.) If adoption of this ordinance were a project, it would be categorically exempt from CEQA as an action by a regulatory agency for the protection of natural resources (CEQA Guidelines Section 15307) and the environment (CEQA Guidelines Section 15308).

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

_____

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

_____
WENDY WOOD
TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____