

**ORDINANCE NO. 2019-464**

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

2019 CALIFORNIA ADMINISTRATIVE CODE, PUBLISHED BY THE  
INTERNATIONAL CODE COUNCIL;

2019 CALIFORNIA BUILDING CODE, PUBLISHED BY  
THE INTERNATIONAL CODE COUNCIL;

2019 CALIFORNIA RESIDENTIAL CODE, PUBLISHED BY  
THE INTERNATIONAL CODE COUNCIL;

2019 CALIFORNIA PLUMBING CODE, PUBLISHED BY THE INTERNATIONAL  
ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS;

2019 CALIFORNIA MECHANICAL CODE, PUBLISHED BY THE  
INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL  
OFFICIALS;

2019 CALIFORNIA ELECTRICAL CODE, PUBLISHED BY  
THE NATIONAL FIRE PROTECTION AGENCY;

2019 CALIFORNIA ENERGY CODE, PUBLISHED BY  
THE INTERNATIONAL CODE COUNCIL;

2019 CALIFORNIA FIRE CODE, PUBLISHED BY  
THE INTERNATIONAL CODE COUNCIL;

2019 CALIFORNIA GREEN BUILDING STANDARDS CODE PUBLISHED BY  
THE INTERNATIONAL CODE COUNCIL;

2019 CALIFORNIA EXISTING BUILDING CODE, PUBLISHED BY  
THE INTERNATIONAL CODE COUNCIL;

2019 CALIFORNIA HISTORICAL BUILDING CODE, PUBLISHED BY  
THE INTERNATIONAL CODE COUNCIL;

AND 2019 CALIFORNIA REFERENCED STANDARDS CODE, PUBLISHED BY  
THE INTERNATIONAL CODE COUNCIL;

**TOGETHER WITH CERTAIN ADDITIONS, INSERTIONS, DELETIONS AND  
CHANGES THERETO.**

**WHEREAS,** The California Building Standards Commission has published the California Building Standards Code, 2019 edition, as provided in the California Code of Regulations, Title 24, and these State mandated regulations go into effect January 1, 2020; and

**WHEREAS,** California Health and Safety Code Sections 17958.7 and 18941.5 authorize cities to adopt the California Building Standards Code with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and;

**WHEREAS,** adoption of these updated versions of the California Code of Regulations, with local amendments as set forth in this ordinance, are necessary to enhance and safeguard public health, safety, general welfare and to provide safety to firefighters and emergency responders during emergency operations as required by the City's unique climatic, geological and topographical conditions; and

**WHEREAS,** the City held a public hearing on \_\_\_\_\_, 2019 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Codes as amended herein; and

**WHEREAS,** the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on \_\_\_\_\_, \_\_ and \_\_\_\_\_, \_\_\_\_ 2019; and

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

**NOW THEREFORE,** the City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:**

**TITLE 12. BUILDINGS AND CONSTRUCTION**

**SECTION 2. AMENDMENT OF CODE:** Title 12, Chapter 12.04 of the Municipal Code is hereby repealed.

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

**Chapter 12.04 ADMINISTRATIVE CODE**

**Section 12.04.010 Adoption of the California Administrative Code.**

There is hereby adopted by reference as if fully set forth herein, the 2019 California Ordinance No. 2019-

Administrative Code, contained in the California Code of Regulations, Title 24, Part 1, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official.

**SECTION 4. AMENDMENT OF CODE:** Title 12, Chapter 12.08, of the Municipal Code is hereby repealed.

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

**Chapter 12.08 BUILDING CODE**

**Section 12.08.010 Adoption of the California Building Code.**

**Section 12.08.020 Amendments.**

**Section 12.08.030 Correction of Violations.**

**Section 12.08.040 Fee Refunds.**

**Section 12.08.010 Adoption of the California Building Code.**

The 2019 California Building Code (2 volumes), contained in the California Code of Regulations, Title 24, Part 2, which incorporates and amends the International Building Code 2018 Edition, published by the California Building Standards Commission and the International Code Council, with the amendments and certain appendices as set forth in Section 12.08.020, is hereby adopted by reference as if fully set forth here. One copy of said code is on file in the office of the Building Official for use and examination by the public.

**Section 12.08.020 Amendments.**

The 2019 California Building Code referred to in Section 12.08.010 is adopted, together with Chapter 1 of the 2019 California Building Code, with the following amendments and certain Appendix Chapters as follows:

Chapter 1, Division II, Section 105.2 Building: #1, is deleted and replaced to read as follows, based upon the express finding of necessity set forth in Section 6.B.1 of this Ordinance.

A. Work exempt from building permits.

Building permits shall not be required for freestanding unenclosed play structures. Enclosed accessory structures used as playhouses, tool and storage sheds and similar uses that are less than 120 square feet constructed without electrical, plumbing, or mechanical features do not require building permits, but do require zoning approval to comply with local zoning regulations.

Chapter 1, Division II, Section 110.3.4 is deleted and replaced to read as follows, based upon the express findings of necessity set forth in Section 6.B.2 of this Ordinance.

B. Frame Inspection.

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

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

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

**Section 12.08.030 Correction of Violations.**

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

- A. The 2019 California Building Code referred to in Section 12.08.010 is adopted, together with Chapter 1 of the 2019 California Building Code, with the following amendments and certain Appendix Chapters as follows:

Chapter 1, Division II, Section 105.5 is deleted and replaced to read as follows, as an administrative clarification, and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5 This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Los Altos.

**Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each.

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

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

For those projects that are residential only, the Building Official may modify expired permit fees when the owner can demonstrate that the project has received all required inspections, except for the Building Division final. The fee amount of one hundred dollars (\$100) shall be required within 10 working days of notice and the project shall achieve a final inspection within 30 days of payment received, otherwise expired permit fees as noted above shall be required.

- B. Work commencing before permit issuance. Whenever any work for which a permit is required by the California Code of Regulations as adopted in this chapter has been commenced without first obtaining said permit, the building official shall charge a minimum of two times and/or up to four times, for repeat offenders, on all applicable plan review and permit (inspection) fees related to the required permit(s), including, but not limited to, building permits (including, but not limited to electrical, fire, mechanical and plumbing), sign permits and demolition permits. The legal registered owner of said property shall obtain a building permit within 30 days of any violation letter or stop-work notice issued by the City of Los Altos. The payment of the increased fee(s) shall not relieve any person from fully complying with the requirements of this code, other codes adopted by the City, or the requirements of the zoning ordinance. Failure to comply with the provisions of this chapter may also subject the violator to any other penalties, sanctions or remedies provided elsewhere in this code. This provision shall not apply to emergency work when the administration authority determines that such work was urgently necessary and that it was not practical to obtain a permit therefore prior to the commencement of such work. In such cases, a permit shall be obtained as soon as it is practical to do so; and if there is an unreasonable delay (exceeding two working days) in obtaining such permit, a fee as provided in this section shall be charged.

Once building permits are issued pursuant to work commenced without required permits, it is the responsibility of the permit holder to obtain their first required building inspection within 30 days from permit issuance date and shall receive a project final inspection within a one-year period. Any further delays will require additional building permit fees charged again in the original amount with an additional 30 day extension. If the project continues without meeting these deadlines, Administration Citation Fees and/or other legal remedies allowed by local or state law shall be imposed.

Failure to contact the Building Division within five business days of receiving the violation notice may result in Administration Citation Fees, Chapter 1.30 of the Los Altos Municipal Code.

#### **Section 12.08.040 Fee Refunds.**

The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

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

The Building Official may authorize refunding of not more than 80 percent of the plan review

fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

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

## **SECTION 6. AUTHORITY AND FINDINGS.**

- A. This Ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2.
- B. Express Findings as required by Health and Safety Code 18941.5(c.). The City Council of the City of Los Altos hereby expressly finds that amendments to the Building Code adopted by this Ordinance and as described in section 12.08.020 are necessary for the protection of the public health, safety and welfare, due to the local climatic, geologic or topographical conditions.
  - 1. Section 105.2 Building: (1) exempts one story detached accessory structures used as tool and storage sheds, playhouses and similar uses, from obtaining building permits provided the floor area does not exceed 120 square feet. The Los Altos Municipal Code zoning regulations apply to all accessory structures, regardless of size. All accessory structures are subject to obtaining a zoning approval.
  - 2. The City of Los Altos is a combination inspection jurisdiction; once the framing inspection is approved the building may be insulated. The City of Los Altos is located in climate zone four, due to the local climatic conditions; rain is often forecasted creating ideal conditions for corrosion, moisture to conductors and mold related issues due to wet materials and insulation. Providing a finished roof in addition to installing exterior doors and windows will reduce these negative impacts.

**SECTION 7. AMENDMENT OF CODE:** Title 12, Chapter 12.10, of the Municipal Code is hereby repealed.

**SECTION 8. AMENDMENT OF CODE:** Title 12, Chapter 12.10 of the Municipal Code is hereby added to read as follows:

### **Chapter 12.10 RESIDENTIAL CODE**

**Section 12.10.010 Residential Code – Adoption of the California Residential Code.**

**Section 12.10.020. Amendments.**

**Section 12.10.030 Correction of Violations.**

**Section 12.10.040 Fee Refunds.**

**Section 12.10.010 Adoption of the California Residential Code.**

The 2019 California Residential Code, contained in the California Code of Regulations, Title 24, Part 2.5, published by the California Building Standards Commission and the International Code Council, which incorporates and amends the 2018 International Residential Code 2018

Edition, is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

**Section 12.10.020 Amendments.**

The 2019 California Residential Code referred to in Section 12.10.10 is adopted, together with Chapter 1 of the 2019 California Residential Code, with the following amendments to read as follows:

Chapter 3 Section R301.1.3.2 is deleted and replaced to read as follows, based upon the express finding of necessity set forth in section 9.B.1. of this Ordinance.

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

Chapter 3 Section R313.1 and Section R313.2 are deleted and replaced to read as follows, based upon the express finding of necessity set forth in section 9.B.2. of this Ordinance.

**Section R313.1 is amended to read as follows:**

**R313.1 Townhouse automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall be installed in accordance with National Fire Protection Association's (NFPA) Standard 13D in all new townhouses and in existing townhouses, when additions are made that increase the building area to more than the allowable Fire-Flow Appendix B, Tables B105.1(1) and B105.1(2) of the 2019 California Fire Code, and/or additions exceeding fifty (50) percent of the existing living area (existing square foot calculations shall not include existing basement) and/or additions exceeding seven hundred and fifty (750) square feet. When automatic fire sprinkler systems are required by this section, all associated attached garages shall be included. Additions over fifty (50) percent and/or seven hundred and fifty (750) square feet as referenced above, shall be treated as a new structure regarding installation of fire sprinkler systems. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:

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

**Section R313.2 is amended to read as follows:**

**R313.2 One and two-family dwellings automatic fire sprinklers systems.** An automatic residential fire sprinkler system shall be installed in accordance with National Fire Protection Association's (NFPA) Standard 13D in all new one and two-family dwellings and in existing dwellings, when additions are made that increase the building area to more than the allowable Fire-Flow Appendix Tables B105.1(1) and B105.1(2) of the 2019 California Fire Code, and/or

additions exceeding fifty (50) percent of the existing living area (existing square foot calculations shall not include existing basement) and/or additions exceeding seven hundred and fifty (750) square feet. When automatic fire sprinkler systems are required by this section, all associated garages shall be included. Additions over fifty (50) percent and/or seven hundred and (750) square feet as referenced above, shall be treated as a new structure regarding installation of fire sprinkler systems. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:

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

Chapter 6 Section R602.10.4.3.1 and Table R602.10.3 (3) footnote “g” are new sections added to read as follows, based upon the express finding of necessity set forth in section 9.B.3. of this Ordinance.

**Add a new subsection R602.10.4.3.1 to read as follows:**

**R602.10.4.3.1 Limits on methods GB and PCP.** In Seismic Design Categories D0, D1, and D2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to accessory structures.

**Add a new footnote “g” to the end of CRC Table R602.10.3(3), after the five footnotes (a) – (f) currently shown, to read:**

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

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

1. Appendix H, Patio Covers

### **Section 12.10.030 Correction of Violations.**

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

- A. The 2019 California Residential Code referred to in Section 12.10.010 is adopted, together with Chapter 1 of the 2019 California Residential Code, with the following amendments and certain Appendix Chapters as follows:



Chapter 1, Division II, Section 105.5 is deleted and replaced to read as follows, as an administrative clarification, and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5 This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Los Altos.

**Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each.

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

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

For those projects that are residential only, the Building Official may modify expired permit fees when the owner can demonstrate that the project has received all required inspections, except for the Building Division final. The fee amount of one hundred dollars (\$100) shall be required within 10 working days of notice and the project shall achieve a final inspection within 30 days of payment received, otherwise expired permit fees as noted above shall be required.

- B. Work commencing before permit issuance. Whenever any work for which a permit is required by the California Code of Regulations as adopted in this chapter has been commenced without first obtaining said permit, the building official shall charge a minimum of two times and/or up to four times, for repeat offenders, on all applicable plan review and permit (inspection) fees related to the required permit(s), including, but not limited to, building permits (including, but not limited to electrical, fire, mechanical and plumbing), sign permits and demolition permits. The legal registered owner of said property shall obtain a building permit within 30 days of any violation letter or stop-work notice issued by the City of Los Altos. The payment of the increased fee(s) shall not relieve any person from fully complying with the requirements of this code, other codes adopted by the city, or the requirements of the zoning ordinance. Failure to comply with the provisions of this chapter may also subject the violator to any other penalties, sanctions or remedies provided elsewhere in this code. This provision shall not apply to emergency work when the administration authority determines that such work was urgently necessary and that it was not practical to obtain a permit therefore prior to the commencement of such work. In such cases, a permit shall be obtained as soon as it is practical to do so; and if there is an unreasonable delay (exceeding two working days) in obtaining such permit, a fee as provided in this section shall be charged.

Once building permits are issued pursuant to work commenced without required permits; it is the responsibility of the permit holder to obtain their first required building inspection within 30 days from permit issuance date and shall receive a project final inspection within a one-year period. Any further delays will require additional building permit fees charged again in the original amount with an additional 30 day extension. If the project continues past this deadline to obtain a required building inspection, Administration Citation Fees and/or other legal remedies allowed by local or state law shall be imposed.

Failure to contact the Building Division within five business days of receiving the violation notice may result in Administration Citation Fees, Chapter 1.30 of the Los Altos Municipal Code.

#### **Section 12.10.040 Fee Refunds.**

The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

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

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

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

#### **SECTION 9. AUTHORITY AND FINDINGS.**

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

2. Section R313.1 and R313.2. The City of Los Altos experiences low humidity, high winds and warm temperatures during the summer months creating conditions which are particularly conducive to the ignition and spread of grass, brush and structure fires. Additionally, the City of Los Altos is geographically situated adjacent to active earthquake faults capable of producing substantial seismic events. Since the City of Los Altos is divided by creeks, an expressway and other substantial traffic corridors, the occurrence of a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more bridges collapse or be substantially damaged. In addition, fire suppression capabilities would be severely limited should the water system be extensively damaged during the seismic event. Therefore, mitigation measures are necessary such as: automatic fire suppression systems, communications systems, access to buildings, seismic protection, safety controls for hazardous materials and other safeguards in order to minimize the risks to citizens, firefighters and property due to the severity of the fire threat and potential response delays.
3. Section R602.10.4.3.1 and Table R602.10.3(3) footnote “g.” The amendment addresses the problem of poor performance of gypsum wallboard and portland cement plaster as wall bracing materials in high seismic areas. The City of Los Altos is situated in a high seismic area. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of these bracing materials that were observed in 1994 Northridge earthquake.

**SECTION 10. AMENDMENT OF CODE:** Title 12, Chapter 12.12 of the Municipal Code is hereby repealed.

**SECTION 11. AMENDMENT OF CODE:** Title 12, Chapter 12.12 of the Municipal Code is hereby added to read as follows:

#### **Chapter 12.12 PLUMBING CODE**

**Section 12.12.010 Plumbing Code – Adoption of the California Plumbing Code.  
Section 12.12.020 Amendments.**

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

The 2019 California Plumbing Code, contained in California Code of Regulations, Title 24, Part 5, which incorporates and amends the Uniform Plumbing Code 2018 Edition, published by the International Association of Plumbing and Mechanical Officials, with amendments and certain appendices set forth in Section 12.12.020 is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

**Section 12.12.020 Amendments.**

The 2019 California Plumbing Code referred to in Section 12.12.010 is adopted with the following amendments and certain Appendix Chapters as follows:

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

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

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

Exception:

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

C. Chapter 12 Section 1211.7 is amended to read as follows, based upon express finding of necessity set forth in section 8.B.2 of this Ordinance.

**1211.7 Earthquake-Actuated Gas Shutoff Valves** Earthquake-actuated gas shutoff valves designed to automatically shut off the gas at the location of the valve in the event of a seismic disturbance and certified by the State Architect as conforming to California Code of Regulations, Title 24, Part 12, Chapter 12-16-1, shall be installed in all new buildings, and when reinstalling meters at the same location, and when relocating gas utility meters. Said gas shutoff valves shall be at or near the meter supplying gas to individual buildings.

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

1. Appendix A, Recommended Rules for Sizing the Water Supply System.
2. Appendix B, Explanatory Notes on Combination Waste and Vent Systems.
3. Appendix D, Sizing Storm Water Drainage Systems.
4. Appendix H, Private Sewage Disposal Systems.
5. Appendix I, Installation Standard for Pex Tubing Systems for Hot and – Cold-Water Distribution.

**SECTION 12. AUTHORITY AND FINDINGS.**

A. This Ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2.

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

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

**SECTION 13. AMENDMENT OF CODE:** Title 12, Chapter 12.16, of the Municipal Code is hereby repealed.

**SECTION 14. AMENDMENT OF CODE:** Title 12, Chapter 12.16, of the Municipal Code is hereby added to read as follows:

#### **Chapter 12.16 MECHANICAL CODES**

##### **Section 12.16.010 Adoption of the California Mechanical Code.**

The 2019 California Mechanical Code, contained in the 2019 California Code of Regulations, Title 24, Part 4, which incorporates and amends the Uniform Mechanical Code 2018 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

**SECTION 15. AMENDMENT OF CODE:** Title 12, Chapter 12.20, of the Municipal Code is hereby repealed.

**SECTION 16. AMENDMENT OF CODE:** Title 12, Chapter 12.20, of the Municipal Code is hereby added to read as follows:

#### **Chapter 12.20 ELECTRICAL CODE**

##### **Section 12.20.010 Adoption of the California Electrical Code.**

The 2019 California Electrical Code, contained in the 2019 California Code of Regulations, Title 24, Part 3, incorporates and amends the National Electrical Code 2017 Edition, published by the National Fire Protection Association, is hereby adopted. There is one copy of said code

on file in the office of the Building Official for use and examination by the public.

**SECTION 17. AMENDMENT OF CODE:** Title 12, Chapter 12.22, of the Municipal Code is hereby repealed.

**SECTION 18. AMENDMENT OF CODE:** Title 12, Chapter 12.22, of the Municipal Code is hereby added to read as follows:

**Chapter 12.22 ENERGY CODE**

**Section 12.22.010 Adoption of the California Energy Code.**

There is hereby adopted by reference as if fully set forth herein, the 2019 California Energy Code, contained in the California Code of Regulations, Title 24, Part 6, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official.

**SECTION 19. AMENDMENT OF CODE:** Title 12, Chapter 12.24 of the Municipal Code is hereby repealed.

**SECTION 20. AMENDMENT OF CODE:** Title 12, Chapter 12.24 of the Municipal Code is hereby added to read as follows:

**Chapter 12.24 FIRE CODE**

**Section 12.24.010 Adoption of the 2019 California Fire Code**

**Section 12.24.015 Findings.**

**Section 12.24.020 Establishment and duties of the fire prevention division.**

**Section 12.24.030 Definitions.**

**Section 12.24.080 Fire Code Amendments.**

**Section 12.24.010 Adoption of the 2019 California Fire Code**

There is hereby adopted by the City, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2019 California Fire Code, contained in the 2019 California Code of Regulations, Title 24, Part 9, which incorporates and amends the International Fire Code 2018 Edition, published by the International Code Council, including Appendix Chapters B, C, and O, save and except such portions as are hereinafter deleted, modified or amended by this chapter. One copy has been filed for use and examination by the public in the office of the Building Official. Said codes are adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance codified in this chapter shall take effect.

**Section 12.24.015 Findings.**

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

climatic, geologic or topographical conditions specified as follows:

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

The below table provides the express findings and determinations (where necessary pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5) justifying the City of Los Altos' amendments to the 2019 Edition of the California Fire Code as reasonably necessary because of local climatic, geologic or topographic conditions.

Admin = This amendment is necessary for administrative clarification, and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5. This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Los Altos.

I = This amendment is reasonably necessary because of climatic conditions.

II = This amendment is reasonably necessary because of topographical conditions.

III = This amendment is reasonably necessary because of geological conditions.

<b>Code Section</b>	<b>California Fire Code Local Amendment</b>	<b>Findings</b>
105.6.30	Mobile Food Preparation Vehicles	Admin
105.6.52	Day care facility	Admin
105.6.53	Institutional	Admin
105.6.54	Lithium Batteries	Admin
105.6.55	Additive Manufacturing	Admin
105.7.4	Compresses gases	Admin
105.7.5	Cryogenic fluids	Admin
107.5	Final Inspection	Admin
110.4	Violation penalties	Admin
Chapter 2	Definitions	Admin
315.8	Lithium Battery Storage and Handling	Admin
315.8.1	Permits	Admin
315.8.2	Maximum quantity in a fire area	II & III
315.8.3	Construction requirements	II & III

315.8.4	Number of fire areas	II & III
315.8.5	Group H, Division 2 occupancy	II & III
315.8.6	Automatic sprinkler system	II & III
315.8.7	Automatic smoke detection system	II
315.8.8	Radiant energy detection	II
315.8.9	Collection containers	Admin
315.8.10	Storage configuration	Admin
316.7	Roof guardrails at interior courts	III
321.1	General	Admin
321.1.1	Scope	Admin
321.1.2	Installation, operation and maintenance	Admin
321.1.3	Production materials	Admin
321.2	Non-industrial additive manufacturing	Admin
321.2.1	Listing	Admin
321.2.2	Occupancies	Admin
321.3	Industrial additive manufacturing	Admin
321.3.1	Permits required	Admin
321.3.2	Listing	Admin
321.3.3	Combustible dusts and metals	Admin
321.3.4	Powder evaluation	Admin
321.3.5	Combustible (non-metallic) dusts	Admin
321.3.6	Combustible metals	Admin
321.3.7	Ancillary equipment	Admin
321.3.8	Hazardous materials	Admin
321.3.9	Inert Gas	Admin
321.3.10	Technical assistance	Admin
321.3.11	Performance based design alternative	Admin
321.3.12	Occupancies	Admin
321.3.13	Safety Certification	Admin
503.1	Where required	Admin
503.1.1	Buildings and facilities	Admin
503.2.1	Dimensions	Admin
503.2.2	Authority	Admin
504.5	Access control devices	II & III
510.1	Emergency responder radio coverage in new buildings	Admin
510.1.1	Obstruction by new buildings	Admin
510.3	Permit required	Admin



510.4	Technical requirements	Admin
510.4.1.1	Minimum signal strength into the building	Admin
510.4.1.2	Minimum signal strength out of the building	Admin
510.5	Installation requirement	Admin
510.5.1	Approval prior to installation	Admin
510.5.3	Acceptance test procedure	Admin
603.4.2.1.1	Prohibited locations	Admin
604.12	Immersion Heaters	Admin
806.1.1	Restricted occupancies	Admin
901.6.3	Records	Admin
903.2	Where required	II & III
903.2.18	Group U private garages and carports accessory to group R3 occupancies	II & III
909.20.1	Schedule	Admin
3304.9	Fire Walls	II & III
3311.1	Stairways required	II & III
3311.1.1	Required Means of Egress	II & III
5601.1.1.3	Fireworks	Admin
5704.2.7.5.8	Overfill Prevention	Admin
5704.2.7.5.9	Automatic Filling of Tanks	Admin
5704.2.9.6.1	Locations where above-ground tanks are prohibited	Admin
5706.2.4.4	Locations where above-ground tanks are prohibited	Admin
5707.3.3	Site plan	Admin
5806.2	Limitations	Admin
5809.3.4	Site plan	Admin
6104.2	Maximum capacity within established limits	Admin

**Section 12.24.020 Establishment and duties of the fire prevention division.**

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

**Section 12.24.030 Definitions.**

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

### **Section 12.24.080 Fire Code Amendments**

The 2019 California Fire Code referred to in Section 12.24.010 is adopted with the following amendments and certain Appendix Chapters as follows:

#### **Chapter 1 SCOPE AND ADMINISTRATION**

##### **Section 105 PERMITS**

**Section 105.6.30 Mobile Food preparation vehicles.**

**Section 105.6.52 Day care facilities.**

**Section 105.6.53 Institutional.**

**Section 105.6.54 Lithium batteries.**

**Section 105.6.55 Additive manufacturing.**

**Section 105.7.4 Compressed gases.**

**Section 105.7.5 Cryogenic fluids.**

**Section 107.5 Final inspection.**

**Section 110.4 Violation penalties.**

Section 105.6.30 is deleted

Section 105.6.52 is added to read as follows:

##### **Section 105.6.52 Day care facilities.**

An operational permit is required to operate a business as a day care facility for more than 6 people.

Section 105.6.53 is added to read as follows:

##### **Section 105.6.53 Institutional.**

A permit is required to operate, maintain, or use any institutional type occupancy. For the purpose of this Section, an institution shall be, but is not limited to: hospitals, children's home, home or institution for insane or mentally retarded persons, home or institution for the care of aged or senile persons, sanitarium, nursing or convalescent home, certified family care homes, residential

care homes for the elderly, out of home placement facilities, halfway house, and day care nurseries or similar facility of any capacity.

Section 105.6.54 is added to read as follows:

**105.6.54 Lithium Batteries.** An operational permit is required to collect or store more than 1,000 pounds (454 kg) of lithium batteries.

Section 105.6.55 is added to read as follows:

**105.6.55 Additive Manufacturing.** An operational permit is required to conduct additive manufacturing operations as covered in Section 321.3.

Section 105.7.4 is amended to read as follows:

#### **105.7.4 Compressed gases**

A construction permit is required to install any piped distribution system for compressed gases, or to install a non-flammable medical gas manifold system. A construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, close or substantially modify a compressed gas system.

#### **Exceptions:**

1. Routine maintenance.
2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

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

Section 105.7.5 is amended to read as follows:

**105.7.5 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 105.6.10. Maintenance performed in accordance with this code is not considered an alteration and does not require a construction permit.

### **Section 107 INSPECTIONS**

Section 107.5 is added to read as follows:

#### **Section 107.5 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 110 VIOLATIONS**

Section 110.4 is amended to read as follows:

### **Section 110.4 Violation penalties.**

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

## **Chapter 2 DEFINITIONS**

**3D PRINTER.** A machine used in the additive manufacturing process for fabricating objects through the deposition of a material using a print head, nozzle, or another printer technology.

**ADDITIVE MANUFACTURING.** A process of joining materials to make objects from 3D model data, usually layer upon layer, sometimes referred to as 3D printing. The Code recognizes two types of additive manufacturing:

1. Industrial additive manufacturing. 3D printing operations that typically utilize combustible powders or metals, an inert gas supply, a combustible dust collection system. or that create a hazardous (classified) location area or zone outside of the equipment.
2. Non-industrial additive manufacturing. 3D printing operations that do create a hazardous (classified) location area outside of the equipment, and do not utilize an inert gas supply or a combustible dust collection system.

## **Chapter 3 GENERAL REQUIREMENTS**

### **Section 315 GENERAL STORAGE**

Section 315.8 is added to read as follows:

#### **315.8 LITHIUM BATTERY STORAGE AND HANDLING**

**315.8 Lithium Battery Storage and Handling.** The storage and handling of lithium ion and lithium metal batteries or cells in quantities exceeding 1,000 pounds (4086 kg) shall comply with Section 315.8.1 through 315.8.10, and Chapter 32 where applicable.

**315.8.1 Permits.** Permits shall be required as set forth in Section 105.6.54.

**315.8.2 Maximum quantity in a fire area.** The aggregate amount of lithium batteries stored and handled in a single fire area shall not exceed 9,000 pounds (4086 kg).

**315.8.3 Construction requirements.** Fire areas shall be separated from each other by fire barriers having not less than 2-hour fire resistance rating constructed in accordance with Section 707 of the Building Code and horizontal assemblies constructed in accordance with Section 711 of the Building Code.

**315.8.4 Number of fire areas.** The maximum number of fire areas within a building shall be four.

**315.8.5 Group H, Division 2 occupancy.** Storage and handling of more than 9,000 pounds of lithium batteries per fire area shall be in an approved Group H, Division 2 occupancy constructed in accordance with the Building Code and provided throughout with approved automatic smoke detection and radiant-energy detection systems.

**315.8.6 Automatic sprinkler system.** Buildings containing fire areas used for lithium battery storage or handling shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. The design of the sprinkler system within each fire area shall not be less than that required for Extra Hazard Group 2 with a minimum design area of 2,500 square feet. Where the storage arrangement is required by other provisions of this code to be provided with a higher level of sprinkler system protection, the higher level of sprinkler system protection shall be provided.

**315.8.7 Automatic smoke detection system.** An approved automatic smoke detection system that activates an approved occupant notification system shall be provided throughout each fire area in accordance with Section 907.

**315.8.8 Radiant energy detection.** An approved radiant-energy detection system that activates an approved occupant notification system shall be installed throughout each fire area in accordance with Section 907.

**315.8.9 Collection containers.** Containers used to collect or store lithium batteries shall be noncombustible and shall not have an individual capacity exceeding 30 gallons (113.6 L), or be approved for transportation in accordance with the Department of Transportation (DOT).

**315.8.10 Storage configuration.** Lithium batteries shall be considered a high-hazard commodity in accordance with Chapter 32 and where applicable, lithium battery storage shall comply with Chapter 32 in addition to Section 315.8.

## **Section 316 HAZARDS TO FIREFIGHTERS**

Section 316.7 is added to read as follows:

### **Section 316.7 Roof guardrails at interior courts.**

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

Exception:

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

## **Section 321 ADDITIVE MANUFACTURING**

Section 321 is added to read as follows:

**321.1 General.** Additive manufacturing equipment and operations shall comply with Section 321.

**321.1.1 Scope.** Additive manufacturing shall comply with one of the following:

1. Non-industrial additive manufacturing shall comply with Section 321.2.
2. Industrial additive manufacturing shall comply with Section 321.3.

**321.1.2 Installation, operation and maintenance.** 3D printers and associated additive manufacturing equipment shall be installed, operated and maintained in accordance with this Code, the listing and the manufacturer's instructions.

**321.1.3 Production materials.** Only the production materials listed for use with the equipment and included in the manufacturer's instructions shall be used.

**321.2 Non-industrial additive manufacturing.** Non-industrial additive manufacturing equipment and operations shall comply with Section 321.2.1 through 321.2.4. Additive manufacturing equipment and operations that do not comply with Section 321.2 shall comply with Section 321.3.

**321.2.1 Listing.** 3D printers used in non-industrial additive manufacturing shall be listed and labeled in accordance with UL 60950-1, UL 62368-1 or UL 2011. The listing shall also verify:

1. The 3D printers are self-contained and utilize maximum 30 liter pre-packaged production materials.
2. The operation of the 3D printers shall not create a hazardous (classified) electrical area or outside of the unit.
3. If any hazardous (classified) electrical area or zone exists inside of the unit's outer enclosure, the area shall be protected by intrinsically safe electrical construction or other acceptable protection methods.
4. The 3D printers shall not utilize inert gas or an external combustible dust collection.

**321.2.2 Occupancies.** Non-industrial additive manufacturing shall be permitted in all occupancy groups.

**321.3 Industrial additive manufacturing.** Industrial additive manufacturing equipment and operations shall comply with Section 321.3.1 through 321.3.13.

**321.3.1 Permits required.** Permits shall be obtained from the fire code official in accordance with Section 105.6.55 prior to engaging in industrial additive manufacturing operations.

**321.3.2 Listing.** 3D printers used in industrial additive manufacturing shall be listed and labeled in accordance with UL 2011 or approved for the application based on a field evaluation conducted by an approved agency.

**321.3.3 Combustible dusts and metals.** Industrial additive manufacturing operations that store, use or produce combustible dust, combustible particulate solids or combustible metals shall comply with Chapter 22 and this section.

**321.3.4 Powder evaluation.** Printing powders used in industrial additive manufacturing operations shall be tested for combustibility in accordance with NFPA 484 or NFPA 652 as applicable. A copy of test reports shall be provided to the fire code official upon request.

**321.3.5 Combustible (non-metallic) dusts.** Industrial additive manufacturing that uses operations that store, use or produce combustible (non-metallic) dusts shall comply with NFPA 654.

**321.3.6 Combustible metals.** Industrial additive manufacturing operations that store or use combustible metals shall also comply with NFPA 484.

**321.3.7 Ancillary equipment.** Ancillary equipment provided for recycling, sieving, vacuuming or handling combustible powders shall be designed and approved for such use.

**321.3.8 Hazardous materials.** Industrial additive manufacturing operations that store or use hazardous materials exceeding the maximum allowable quantity limits shall comply with Chapter 50.

**321.3.9 Inert Gas.** Additive manufacturing processes that utilize inert gases shall comply with Chapter 53. Ventilation or gas detection shall be provided in accordance with Section 5307.

**321.3.10 Technical assistance.** Where required by the fire code official, a report evaluating the acceptability of technologies, processes, products, facilities, materials and uses associated with the operation shall be provided in accordance with 104.7.2 and approved.

**321.3.11 Performance based design alternative.** Where approved by the fire code official, buildings and facilities where industrial additive manufacturing is performed shall be permitted to comply with the performance-based design options in Section 5001.3 as an alternative to compliance with the other requirements set forth in this Section.

**321.3.12 Occupancies.** Industrial additive manufacturing shall only be conducted in the occupancy groups associated with manufacturing operations. The occupancy may be required by the fire code official to comply with Chapter 50 maximum allowable quantity tables. Where

approved, the requirements in Sections 321.2.5 and 321.3.6 shall be permitted to provide the technical basis for determining compliance with Table 5003.1.1(1), footnote q.

**321.3.13 Safety Certification.** The equipment, process, training procedures and occupancy associated with industrial additive manufacturing may be required by the fire code official to receive a safety certification from Underwriter's Laboratory or equivalent.

## **Chapter 5 FIRE SERVICE FEATURES**

### **Section 503 FIRE APPARATUS ACCESS ROADS**

#### **Section 503.1 Where required.**

##### **Section 503.1.1 Buildings and facilities.**

##### **Section 503.2.1 Dimensions.**

##### **Section 503.2.2 Authority.**

Section 503.1 is amended to read as follows:

#### **Section 503.1 Where required.**

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and as per Fire Department access road 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:



**Section 503.2.1 Dimensions.**

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

Exception:

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

Section 503.2.2 is amended to read as follows:

**503.2.2 Authority.** The fire code official shall have the authority to require or permit modifications to the required access widths and/or vertical clearance where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

**Section 504 ACCESS TO BUILDINGS AND ROOFS**

Section 504.5 is added to read as follows:

**Section 504.5 Access control devices.**

When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the fire code official. All 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 shall also comply with Chapter 10 Means of Egress.

**Section 510 EMERGENCY RESPONDER RADIO COVERAGE**

Section 510.1 is amended to read as follows:

**510.1 Emergency responder radio coverage in new buildings.** Approved radio coverage 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 California 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 907.2.12.2 shall be permitted to be installed or maintained in lieu of an approved radio coverage system.
2. Where it is determined by the fire code official that the radio coverage system is not needed.
3. In facilities where emergency responder radio 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 radio 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 1221, Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems.

The coverage shall be based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Section 510.1.1 is amended 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 510.2 is deleted.

Section 510.3 is amended to read as follows:

**510.3 Permit required.** A construction permit, for the installation of, or modification of, emergency responder radio coverage systems and related equipment is required as specified in Section 105.7.6. 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.** Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with the current Emergency Responders Radio Coverage Systems Standard Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.4.1.1 is amended to read as follows:

**510.4.1.1 Minimum signal strength into the building.** The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The inbound signal level shall be sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 for analog communications and DAQ of 3.4 for digital communications systems or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology.

Section 510.4.1.2 is amended to read as follows:

**510.4.1.2 Minimum signal strength out of the building.** The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 for analog communications and DAQ of 3.4 for digital communications systems or an equivalent SINR applicable to the technology.

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 1221 and the current Emergency Responder Radio Coverage Systems Standard Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.5.1 is amended to read as follows:

**510.5.1 Approval prior to installation.** Amplification 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.

The first paragraph of Section 510.5.3 is amended to read as follows:

**510.5.3 Acceptance test procedure.** Where an emergency responder radio coverage 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.

## **Chapter 6 BUILDING SERVICES AND SYSTEMS**

### **Section 603 FUEL-FIRED APPLIANCES**

Section 603.4.2.1.1 is amended to read as follows and the exception in the Section is deleted:

**603.4.2.1.1 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 in other than R-3 occupancies

## **Section 604 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS**

Section 604.12 is added to read as follows:

### **Section 604.12 Immersion Heaters.**

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

## **Chapter 8 INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS**

### **Section 806 NATURAL DECORATIVE VEGETATION IN NEW AND EXISTING BUILDINGS**

Section 806.1.1 is amended to read as follows:

#### **806.1.1 Restricted occupancies.**

The display of natural cut trees and other decorative vegetation shall be in accordance with the California Code of Regulations, Title 19, Division 1, §3.08 and Sections 806.1 through 806.4.

## **Chapter 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS**

### **Section 901 GENERAL**

Section 901.6.3 is amended to read as follows:

**901.6.3 Records.** 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. Inspections and tests performed on fire alarm systems shall be documented on NFPA 72 forms.

### **Section 903 AUTOMATIC SPRINKLER SYSTEMS**

#### **Section 903.2 Where required.**

**Section 903.2.18 Group U private garages and carports accessory to Group R-3 occupancies.**

Section 903.2 is amended to read as follows:

**Section 903.2 Where required.** Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18 whichever is the more restrictive.

For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall not be utilized as a means of area reduction for the purposes of circumventing automatic fire sprinkler system installation requirements.

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

1. An approved automatic sprinkler system shall be provided throughout all new buildings and structures exceeding one (thousand) square feet.
2. An approved automatic sprinkler system shall be provided throughout all existing buildings, when additions are made that exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas).
3. An approved automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.
4. An approved automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or additions are made that create conditions described in Sections 903.2.1 through 903.2.18
5. The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period and/or two code cycles. The permit issuance dates of past additions and/or alterations where these regulations were in effect shall be used for determining compliance.

Section 903.2.18 is amended by deleting the Exception:

## **Section 909 SMOKE CONTROL SYSTEMS**

### **Section 909.20.1 Schedule**

Section 909.20.1 is amended to read as follows:

**909.20.1 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 both shall occur at least annually

## **Chapter 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS**

Chapter 11 is deleted in its entirety.

## **Chapter 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**

### **Section 3304 PRECAUTIONS AGAINST FIRE**

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Section 3304.9 is added to read as follows:

**Section 3304.9 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).

**Section 3311 MEANS OF EGRESS**

**Section 3311.1 Stairways Required.**

**Section 3311.1.1 Required Means of Egress.**

Section 3311.1 is amended to read as follows:

**Section 3311.1 Stairways Required.**

Each level above the first story in new multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

Exception:

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

Section 3311.1.1 is added to read as follows:

**Section 3311.1.1 Required Means of Egress.**

All new buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in the prefire plan. See Section 3308.3

**Chapter 56 EXPLOSIVES AND FIRWORKS**

**Section 5601 GENERAL**

**Section 5601.1.3 Fireworks.**

Section 5601.1.1.3 is added to read as follows:

**Section 5601.1.1.3 Fireworks.**

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

Exceptions: The use of fireworks for firework displays as allowed in Section 5608.

## **Chapter 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS**

### **Section 5704 STORAGE**

#### **Section 5704.2.7.5.8 Overfill Prevention.**

#### **Section 5704.2.7.5.9 Automatic Filling of Tanks.**

#### **Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited**

#### **Section 5706.2.4.4 Locations where above-ground tanks are prohibited.**

#### **Section 5707.3.3 Site Plan**

Section 5704.2.7.5.8 is amended to read as follows and the exception in the Section is deleted:

#### **Section 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 Sections 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350.

An approved means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

Section 5704.2.7.5.9 is added to read as follows:

#### **Section 5704.2.7.5.9 Automatic Filling of Tanks.**

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

Section 5704.2.9.6.1 is amended to read as follows:

#### **5704.2.9.6.1 Locations where above-ground tanks are prohibited.**

Storage of flammable or combustible liquids in outside aboveground tanks is prohibited, are hereby established as all locations of the City of Los Altos that are residential or congested commercial areas as determined by the fire code official.

Section 5706.2.4.4 is amended to read as follows:

#### **5706.2.4.4 Locations where above-ground tanks are prohibited.**

Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all

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

Section 5707.3.3 is added to read as follows:

**5707.3.3 Site plan.**

A site plan shall be developed for each location at which mobile 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; all uses adjacent to the *lot lines* of the site; fueling locations, the locations of all storm drain openings and adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be kept on the site property; and the scale of the site plan

**Chapter 58 FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS.**

**Section 5806.2 Limitations**

**Section 5809.3.4 Site Plan**

Section 5806.2 is amended to read as follows:

**5806.2 Limitations.**

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited are hereby established as all locations of the City of Los Altos which are residential and congested commercial areas as determined by the fire code official.

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.

**CHAPTER 61 LIQUEFIED PETROLEUM GASES**

Section 6104.2 is amended to read as follows:

**6104.2 Maximum capacity within established limits.** Within The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as all locations of the City of Los Altos that are residential or congested commercial areas as determined by the fire code official.

Exception:

LPG may be used for industrial operations or when natural gas would not provide a viable substitute for LPG. Portable containers for temporary heating and/or cooking uses may be permitted if stored and handled in accordance with this code. Facilities in commercial areas for Ordinance No. 2019-



refueling portable or mobile LPG containers may be approved by the fire code official on a case-by-case basis.

**SECTION 21. AMENDMENT OF CODE:** Title 12, Chapter 12.26 of the Municipal Code is hereby repealed.

**SECTION 22. AMENDMENT OF CODE:** Title 12, Chapter 12.26 of the Municipal Code is hereby added to read as follows:

#### **Chapter 12.26 CALIFORNIA GREEN BUILDING STANDARDS CODE**

##### **Section 12.26.010 Adoption of the California Green Building Standards Code**

##### **Section 12.26.020 Amendments, Additions or Deletions**

##### **Section 12.26.030 Definitions.**

##### **Section 12.26.010 Adoption of the California Green Building Standards Code**

There is hereby adopted by reference as if fully set forth herein, the 2019 California Green Building Standards Code, contained in the California Code of Regulations, Title 24, Part 11, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official.

##### **Section 12.26.020 Amendments, Additions or Deletions**

The 2019 California Green Building Standards Code referred to in Section 12.26.010 is adopted, together with Chapter 1 of the 2019 California Green Building Standards Code, with the following amendments as follows:

Chapter 1 Section 102.4 Scope and Mandatory Compliance is hereby added to read as follows, based on express finding of necessity set forth in Section 22B.

##### **Section 102.4 Scope and Mandatory Compliance**

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

The means by which compliance measures are achieved shall be mandatory measures with appendix sections voluntarily applied, building division mandatory check list, whole house Build it Green GreenPoint check list, LEED, other recognized point systems, Title 24 Part 6 Energy Efficiency Standards, or equivalent approved methods. Green Building Compliance measures in addition to checklists shall be incorporated into the project drawings approved by the Building Official prior to building permit submittal.

Prior to issuance of a building permit, the owner or responsible Registered Design Professional acting as the owner's agent shall employ and/or retain a Qualified Green Building Professional to the satisfaction of the Building Official, and prior to final

inspection shall submit verification that the project is in compliance with this ordinance.

**Section 12.26.030 Definitions.**

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

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

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

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

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

**“STRUCTURAL RENOVATIONS”** means existing portions of roof framing and/or exterior walls removed for the purpose of rebuilding and remodeling

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

**SECTION 22. Authority and Findings.**

- A. This Ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2.
- B. Section 102.4 Scope and Mandatory Compliance. The amendment to this section is as an administrative clarification, and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5 This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Los Altos.

**SECTION 23. AMENDMENT OF CODE:** Title 12, Chapter 12.30 of the Municipal Code is hereby repealed.

**SECTION 24. AMENDMENT OF CODE:** Title 12, Chapter 12.30 of the Municipal Code is hereby added to read as follows:

**Chapter 12.30 CALIFORNIA EXISTING BUILDING CODE**

**Section 12.30.10 Adoption of the California Existing Building Code.**

There is hereby adopted by reference as if fully set forth herein, the 2019 California Existing Building Code, contained in the California Code of Regulations, Title 24, Part 10, and also the International Existing Building Code 2018 Edition, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official.

**SECTION 25. AMENDMENT OF CODE:** Title 12, Chapter 12.32 of the Municipal Code is hereby repealed.

**SECTION 26. AMENDMENT OF CODE:** Title 12, Chapter 12.32 of the Municipal Code is hereby replaced to read as follows:

**Chapter 12:32 CALIFORNIA HISTORICAL BUILDING CODE**

**Section 12.32.10 Adoption of the California Historical Building Code.**

There is hereby adopted by reference as if fully set forth herein, the 2019 California Historical Building Code, contained in the California Code of Regulations, Title 24, Part 8, published by the International Code Council, is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

**SECTION 27. AMENDMENT OF CODE:** Title 12, Chapter 12.42 of the Municipal Code is hereby repealed.

**SECTION 28. AMENDMENT OF CODE:** Title 12, Chapter 12.42 of the Municipal Code is hereby added to read as follows:

**Chapter 12.42 CALIFORNIA REFERENCED STANDARDS CODE**

**Section 12.42.10 Adoption of the California Referenced Standards Code.**

There is hereby adopted by reference as if fully set forth herein, the 2019 California Referenced Standards Code, contained in the 2019 edition of the California Code of Regulations, Title 24, Part 12, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official.

**SECTION 29. AMENDMENT OF CODE:** Title 12, Chapter 12.68 of the Municipal Code is hereby repealed.

**SECTION 30. AMENDMENT OF CODE:** Title 12, Chapter 12.68 of the Municipal Code is hereby added to read as follows:

**Chapter 12.68 UNDERGROUNDING UTILITIES**

**Section 12.68.010 Purpose.**

**Section 12.68.020 Undergrounding utilities.**

**Section 12.68.010 Purpose.**

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

**Section 12.68.020 Undergrounding utilities.**

It is the intent of the city to ensure that all new utility services and relocated existing utility services are placed underground, including additions exceeding fifty (50) percent of floor area and/or seven hundred and fifty (750) square feet or more, excluding basements. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:

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

**SECTION 31.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

**SECTION 32.** The City Clerk is hereby directed to file a copy of this Ordinance with the California Building Standards Commission of the State of California.

**SECTION 33. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 34. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

**SECTION 35. EFFECTIVE DATE.** This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on \_\_\_\_\_, 2019 and was thereafter, at a regular meeting held on \_\_\_\_\_, 2019 passed and adopted by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Lynette Lee Eng, MAYOR

Attest:

\_\_\_\_\_  
Dennis Hawkins, CITY CLERK