

ORDINANCE NO. 2016-426

**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:**

2016 CALIFORNIA ADMINISTRATIVE CODE, PUBLISHED BY THE
INTERNATIONAL CODE COUNCIL;

2016 CALIFORNIA BUILDING CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2016 CALIFORNIA RESIDENTIAL CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2016 CALIFORNIA PLUMBING CODE, PUBLISHED BY THE INTERNATIONAL
ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS;

2016 CALIFORNIA MECHANICAL CODE, PUBLISHED BY THE
INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL
OFFICIALS;

2016 CALIFORNIA ELECTRICAL CODE, PUBLISHED BY
THE NATIONAL FIRE PROTECTION AGENCY;

2016 CALIFORNIA ENERGY CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2016 CALIFORNIA FIRE CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2016 CALIFORNIA GREEN BUILDING STANDARDS CODE PUBLISHED BY
THE CALIFORNIA BUILDING STANDARDS COMMISSION;

2016 INTERNATIONAL EXISTING BUILDING CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2016 CALIFORNIA HISTORICAL BUILDING CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL;

2016 CALIFORNIA REFERENCED STANDARDS CODE, PUBLISHED BY
THE INTERNATIONAL CODE COUNCIL OF BUILDING OFFICIALS;

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

WHEREAS, The California Building Standards Commission has adopted the 2016 California Code of Regulations, Title 24, for Buildings and Construction, and these State mandated regulations go into effect January 1, 2017; and

WHEREAS, All jurisdictions that are responsible for the enforcement of building regulations are requested to adopt the most recent edition of the California Code of Regulations; and

WHEREAS, Adoption of these updated versions of the California Code of Regulations, with recommended 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; 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 2016 edition of the California Code of Regulations, Title 24, Part 1, incorporating the California Administrative Code, published by the International Code Council, and each and all of its regulations and 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 2016 California Code of Regulations, Title 24, Part 2, incorporates the 2016 California Building Code (2 volumes) and also the International Building Code 2015 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 Building Code referred to in Section 12.08.010 is adopted with the following amendments and certain Appendix Chapters as follows:

Chapter 1, Division II, Section 105.2 item 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 play houses, 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. Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each.

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

work commenced prior to permit issuance will result in Administration Citation Fees, Chapter 1.30 of the Los Altos Municipal Code.

Section 12.08.040 Fee Refunds.

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

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

The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been 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 (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 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 Residential Code – Adoption of the California Residential Code.

The 2016 California Code of Regulations, Title 24, Part 2.5, incorporates the 2016 California Residential Code and also the 2015 International Residential Code Edition, published by the California Building Standards Commission and the International Code Council is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

Section 12.10.020 Amendments.

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

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

R301.1.3.2 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 is deleted and replaced to read as follows, based upon the express finding of necessity set forth in section 8 .B.2. of this Ordinance.

Section R313.1 is amended to read:

R313.1 Townhouse automatic fire sprinkler systems. An Automatic residential fire sprinkler system shall be installed in 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 2016 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.

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:

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 2016 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.

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 code cycles. The permit issuance date of past additions where these regulations were in effect shall be used for determining compliance.

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

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

C. Work commencing before permit issuance. Whenever any work for which a permit is required by the California Code of Regulations as adopted in this article has been commenced without first obtaining said permit, the 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 comply with violation notices issued within five working days with regard to work commenced prior to permit issuance will result in Administration Citation Fees, Chapter 1.30 of the Los Altos Municipal Code.

Section 12.10.040 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.

Chapter 6 Section R602.10.4.3.4 and Table R602.10.3 (3) footnote "F" is added to read as follows, based upon the express finding of necessity set forth in section 6.B.3. of this Ordinance.

Add a new subsection R602.10.4.3.4 to read:

R602.10.4.3.4 Limits on methods GB and PCP. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0,

D1, and D2, the use of Method PCP is limited to accessory structures.

Add a new footnote “f” to the end of CRC Table R602.10.3 (3), to read:

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

Add the “f” footnote notation in the title of Table R602.10.3 (3) after the five footnotes currently shown, to read:

TABLE R602.10.3 (3) a, b, c, d, and e

SECTION 8. AUTHORITY AND FINDINGS.

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

B. Express Findings as required by Health and Safety Code 18941.5(c). The City Council of the City of Los Altos hereby expressly finds that amendments to the California Residential Building Code adopted by this Ordinance and as described in section 12.10.010 are necessary for the protection of the public health, safety and welfare, due to the local climate, geologic or topographical conditions.

1. Section R301.1.3.2. The City of Los Altos is geographically situated in Seismic Design Categories “D” and “E.” The 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 safe guards in order to minimize the risks to citizens, firefighters and property due to the severity of the fire threat and potential response delays.
3. Section R602.10.4.3.4 and Table R602.10.3 (3) footnote “f.” The proposed amendment addresses the problem of poor performance of gypsum wallboard and portland cement plaster as wall bracing materials in high seismic areas. This amendment reflects the recommendations by the Structural Engineers Association of

Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of these bracing materials that were observed in 1994 Northridge earthquake.

SECTION 9. AMENDMENT OF CODE: Title 12, Chapter 12.12 of the Municipal Code is hereby repealed.

SECTION 10. 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 2016 California Code of Regulations, Title 24, Part 5, incorporates the 2016 California Plumbing Code and also the Uniform Plumbing Code 2015 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 Plumbing Code referred to in Section 12.12.010 is adopted with the following amendments and certain Appendix Chapters as follows:

- A. Section 710.1 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.

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.

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 11. AUTHORITY AND FINDINGS.

- A. This Ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2.
- B. Express Findings as required by Health and Safety Code 18941.5(c). The City Council of the City of Los Altos hereby expressly finds that amendments to the Plumbing Code adopted by this Ordinance and as described in section 12.12.020 are necessary for the protection of the public health, safety and welfare, due to the local climatic, geologic or topographical conditions.
1. Section 710.1 requires that fixtures installed on a floor level lower than the next upstream manhole cover of the public or private sewer, serving such drainage piping, shall be protected from backflow of sewage by installing an approved backwater valve. Due to the topography of the City of Los Altos, it shall be required to install an accessible approved type backwater and atmospheric relief valve in all new, replaced or repaired public and private building sewers.
 2. Local Geological Conditions – The City of Los Altos is located in a highly active seismic region. The need to incorporate this modification into the code will help to assure that all new buildings, and relocated gas meters for existing buildings equipped with these automatic gas shut off devices are designed to minimize fire, life and safety issues arising from damage due to an earthquake.

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

SECTION 13. 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 2016 California Code of Regulations, Title 24, Part 4, incorporates the 2016 California Mechanical Code and also the Uniform Mechanical Code 2015 Edition, is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

SECTION 14. AMENDMENT OF CODE: Title 12, Chapter 12.20, of the Municipal Code is hereby repealed.

SECTION 15. 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 2016 California Code of Regulations, Title 24, Part 9, incorporates the 2016 California Electrical Code and also the National Electrical Code 2014 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 16. 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 2016 edition of the California Code of Regulations, Title 24, Part 6, incorporating the California Energy Code, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official.

SECTION 17. AMENDMENT OF CODE: Title 12, Chapter 12.24 of the Municipal Code is hereby repealed.

SECTION 18. 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 2016 California Fire Code and portions of the 2015 International Fire Code.

Section 12.24.015 Findings.

Section 12.24.020 Establishment and duties of the fire prevention division.

Section 12.24.030 Definitions.

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

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

Section 12.24.060 Establishment of limits of districts in which storage of Class I and II

liquids in aboveground tanks is prohibited.

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

Section 12.24.080 Fire Code Amendments.

Section 12.24.010 Adoption of the 2016 California Fire Code and portions of the 2015 International Fire Code.

There is hereby adopted by the City, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2016 California Fire Code and also the International Fire Code, 2015 Edition, including Appendix Chapters B, C, J and N 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.

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.

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

The limits referred to in Section 5806.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as all locations of the City of Los Altos which are residential and congested commercial areas as determined by the fire code official.

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

The limits referred to in Section 5704.2.9.6.1 of the California Fire Code, in which the storage of flammable or combustible liquids in outside aboveground tanks is prohibited, are hereby established as all locations of the City of Los Altos that are residential or congested commercial areas as determined by the fire code official.

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

The limits referred to in Section 5706.2.4.4 of the California Fire Code, in which the storage of flammable or combustible liquids in aboveground tanks is prohibited, are hereby established as all locations of the City of Los Altos that are residential or other locations as determined by the fire code official.

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

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.

Exception:

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

Section 12.24.080 Fire Code Amendments

Chapter 1 SCOPE AND ADMINISTRATION

Section 105 PERMITS

Section 105.6.17 Flammable and combustible liquids.

Section 105.6.50 Day care facilities.

Section 105.6.51 Institutional.

Section 105.7.3 Compressed gases.

Section 105.7.4 Cryogenic fluids.

Section 105.6.17 is amended to read as follows:

105.6.17 Flammable and combustible liquids. An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the offsite transportation in pipelines regulated by the Department of Transportation (DOT) nor does it apply to piping systems.
2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:
 - 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire code official, would cause an unsafe condition.
 - 2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purpose for a period of not more than 30 days.
3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil burning equipment.
4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

Exception: Fuel oil and used motor oil used for space heating or water heating.
5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary onsite pumps normally used for dispensing purposes.
6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries, and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.
7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or combustible liquid tank.
8. To change the type of contents stored in a flammable or combustible liquid tank to a materials that poses a greater hazard than that for which the tank was designed and constructed.
9. To manufacture, process, blend or refine flammable or combustible liquids.
10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.
11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial,

governmental or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.

Section 105.6.50 is added to read as follows:

Section 105.6.50 Day care facility.

An operational permit is required to operate a business as a day care facility for more than 6 people. Section 105.6.51 is added to read as follows:

Section 105.6.51 Institutional.

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

Section 106 INSPECTIONS

Section 105.7.3 is amended to read as follows:

105.7.3 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 105.7.4 is amended to read as follows:

105.7.4 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 105.6.11. Maintenance performed in accordance with this code is not considered an alteration and does not require a construction permit.

Section 106 INSPECTIONS

Section 106.5 is added to read as follows:

Section 106.5 Final Inspection.

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

Section 109 VIOLATIONS

Section 109.4 is amended to read as follows:

Section 109.4 Violation penalties.

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

Chapter 3 GENERAL PRECAUTIONS AGAINST FIRE

Section 316 HAZARDS TO FIREFIGHTERS

Section 316.7 is added to read as follows:

Section 316.7 Roof guardrails at interior courts.

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

Exception:

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

Chapter 5 FIRE SERVICE FEATURES

Section 503 FIRE APPARATUS ACCESS ROADS

Section 503.1 Where required.

Section 503.2.1 Dimensions.

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 503.2.1 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 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 504 ACCESS TO BUILDINGS AND ROOFS

Section 504.4 is added to read as follows:

Section 504.4 Access control devices.

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

Access control devices shall also comply with Chapter 10 Egress.

Chapter 6 BUILDING SERVICES AND SYSTEMS

Section 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

Section 605.11 is added to read as follows:

Section 605.11 Immersion Heaters.

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

Chapter 8 INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS

Section 806 DECORATIVE VEGETATION IN NEW AND EXISTING BUILDINGS

Section 806.1.1 is amended to read as follows:

806.1.1 Display inside buildings.

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

Chapter 9 FIRE PROTECTION SYSTEMS

Section 903 AUTOMATIC SPRINKLER SYSTEMS

Section 903.2 Where required.

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 903.2.19.1.2 whichever is the more restrictive.

For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

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

1. An automatic sprinkler system shall be provided throughout all new buildings and structures exceeding one (thousand) square feet.
2. An automatic sprinkler system shall be provided throughout all existing buildings, when 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 automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.
4. The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period 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.

Chapter 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

Section 3304 PRECAUTIONS AGAINST FIRE

Section 3304.8 is added to read as follows:

Section 3304.8 Fire Walls.

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

Section 3311 MEANS OF EGRESS

Section 3311.1 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. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

Exception:

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

Section 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.

Chapter 56 EXPLOSIVES AND FIREWORKS

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:

1. Storage, handling of fireworks as allowed in Section 5604. Manufactured, assembly and testing of fireworks as allowed in Section 5605 and health and safety Code Division 11.
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.

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 5707 On-Demand Mobil Fueling

Section 5704.2.7.5.8 is amended to read as follows

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.

Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less provided an independent means of notifying the person filling the tank that the fluid level has reached 90 percent of tank capacity by providing an audible or visual alarm signal, or providing a tank level gauge marked at 90 percent of tank capacity. An approved means or method in accordance with Section 5704.2.9.7.6 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

Section 5704.2.7.5.9 is added 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 5707 ON-DEMAND MOBILE FUELING

5701.1 General. On-demand mobile fueling operations that dispense Class I, II, and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1 through 5707.7.

Exception: Fueling from an approved portable container in cases of an emergency or for personal use.

5707.1.1 Approval Required. Mobile fueling operations shall not be conducted without first obtaining a permit and approval from the fire code official. Mobile fueling operations shall only occur at approved locations.

5707.2 Mobile fueling vehicle. An on-demand mobile fueling vehicle shall be one of the following:

1. A tank vehicle complying with NFPA 385 that has chassis-mounted tanks or containers where the aggregate cargo capacity does not exceed 1200 gallons (4542 L).
2. A vehicle with one or more chassis-mounted tanks or containers that do not exceed 110 gallons (415 L) individual capacity and having an aggregate capacity that does not exceed 1200 gallons (4542 L).

3. A vehicle that carries a maximum of 60 gallons (227 L.) of motor fuel in metal safety cans and listed in accordance with UL 30 or other approved metal containers each not to exceed 5 gallons (19 L.) in capacity.

The mobile fueling vehicle shall comply with the requirements of all local, state and federal requirements.

Mobile fueling vehicles with a chassis-mounted tank in excess of 110 gallons (415 L.) shall comply with the requirements of Section 5706.6, Section 5707, and NFPA 385.

The mobile fueling vehicle and its equipment shall be maintained in good repair.

Safety cans and approved metal containers shall be secured to the mobile fueling vehicle except when in use.

5703.3 Required documents. Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the owner of the mobile fueling operations and shall be maintained in compliance with Section 107.3

5707.3.1 Safety and emergency response plan. Mobile fueling operators shall have an approved written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code.

5707.3.2 Training records. Training records of operators shall be maintained. Mobile fueling vehicle operators shall possess evidence of training on proper fueling procedures and the safety and emergency response plan.

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 or 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 retained upon the site property; and the scale of the site plan.

5707.4 Mobile fueling areas. Mobile fueling shall not occur on public streets, public ways, or inside buildings. Fueling on the roof level of parking structures or other buildings is prohibited.

5704.1 Separation. Mobile fueling shall not take place within 25 feet (7620 mm) of buildings, property lines, or combustible storage.

Exception: The fire code official shall be authorized to decrease the separation distance for dispensing from metal safety cans or other approved metal containers in accordance with Section 5707.2.

When dispensing operations occur within 15 feet (4572 mm) of a storm drain, an approved storm drain cover or an approved equivalent method that will prevent any fuel from reaching the drain shall be used.

5707.4.2 Sources of ignition. Smoking, open flames, and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames with 25 feet (7620 mm) of the vehicle and the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.

5707.5 Equipment. Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.5.

5707.5.1 Dispensing hoses and nozzles. Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles, hoses, and appurtenances shall be of an approved and listed type.

5707.5.2 Break-away device. A listed break-away device shall be provided at the nozzle.

Exception: Mobile fueling vehicles equipped with an approved brake interlock tied to the nozzle holder that prohibits movement of the mobile fueling vehicle when the nozzle is removed from its holder.

5707.5.3 Shut off valve and fuel limit. Mobile fueling vehicles shall be equipped with a listed shutoff valve assembly and a fuel limit switch set to a maximum of 30 gallons (116 L).

5707.5.4 Fire extinguisher. An approved portable fire extinguisher complying with Section 906 with a minimum rating of 4-A:80-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.

5707.5.5 Spill kit. Mobile fueling vehicles shall contain a minimum 5 gallon (19 L.) spill kit of an approved type.

5707.6 Operations. Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads.

5707.6.1 Dispensing hose. Where equipped, mobile fueling vehicles shall be positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall be placed on an approved reel or in an approved compartment prior to moving the mobile fueling vehicle.

5707.6.2 Drip control. Operators shall place a drip pan or an absorbent pillow under the nozzle to catch drips and under each fuel fill opening prior to and during dispensing operations.

5707.6.3 Nighttime deliveries. Nighttime deliveries shall only be made in areas deemed adequately lighted by the fire code official.

5707.6.4 Vehicle lights. The mobile fueling vehicle flasher lights shall be in operation while dispensing operations are in progress.

5707.6.5 Safety cones. Safety cones or barriers shall be employed as warning devices to highlight the vehicle fueling area.

5707.6.6 Bonding. A means for bonding the mobile fueling vehicle to the motor vehicle shall be provided. Such bonding means shall be employed during fueling operations.

5707.6.7 Spill reporting. Spills shall be reported in accordance with Section 5003.3.1.

5707.7 Training. Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures, and the safety and emergency response plan. The vehicle operator training shall be approved by the fire code official.

SECTION 19. 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 2016 edition of the California Code of Regulations, Title 24, Part 11, incorporating the California Green Building Standards Code, published by the California Building Standards Commission, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official

Section 12.26.020 Amendments, Additions or Deletions

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 20B.

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 GreenPoints check list, LEED, other recognized point systems, Title 24 Part 6 Energy Efficiency Standards, or equivalent approved methods. Green Building Compliance measures in addition to checklists shall be incorporated into the project drawings approved by the Building Official prior to building permit submittal.

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.

Chapter 3 Section 3.1.1 is deleted and replaced to read as follows, based on express

findings of necessity set forth in Section 20B.

- B. The Mandatory provisions of Chapter 4 shall be applied to additions, structural renovations or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume or size. The requirements shall apply only to or within the specific area of the addition or alteration.

Note: On and after January 1, 2014, residential buildings undergoing permitted alterations, additions or improvements shall replace noncompliant plumbing fixtures with water-conserving plumbing fixtures. Plumbing fixture replacement is required prior to issuance of a certificate of final completion, certificate of occupancy or final permit approval by the local Building Department. See Civil Code Section 1101.1, et seq., for definition of a noncompliant fixture, types of residential buildings affected and other important enactment dates.

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

Section 12.26.030 Definitions.

"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 20. Authority and Findings.

- A. This Ordinance is enacted pursuant to and in compliance with Health and Safety Code Section 18941.5 and as expressly permitted in Government Code Section 50022.2.
- B. Due to local climatic, geological and topographical conditions, many buildings undergo structural renovations and some are removed to the finish floor and rebuilt as new structures, the need to regulate these structures as additions or new is consistent with local

environmental concerns and the State Building Codes.

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

SECTION 21. AMENDMENT OF CODE: Title 12, Chapter 12.30 of the Municipal Code is hereby repealed.

SECTION 22. 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 2016 edition of the California Code of Regulations, Title 24, Part 10, incorporating the California Existing Building Code and also the International Existing Building Code 2015 Edition, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the Building Official.

SECTION 23. AMENDMENT OF CODE: Title 12, Chapter 12.32 of the Municipal Code is hereby repealed.

SECTION 24. 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 2016 edition of the California Code of Regulations, Title 24, Part 8, incorporating the California Historical Building Code published by the International Code Councils, is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.

SECTION 25. AMENDMENT OF CODE: Title 12, Chapter 12.42 of the Municipal Code is hereby repealed.

SECTION 26. 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 2016 edition of the California Code of Regulations, Title 24, Part 12, incorporating the California Referenced Standards Code, published by the International Code Council, and each and all of its regulations and provision. One copy is on file for use and examination by the public in the office of the Building Official.

SECTION 27. 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. (Ord. 07-312 § 1 (part))

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

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. Therefore, the following shall apply:

- A. In areas served by existing overhead facilities, all new service drops shall be installed underground from the most convenient existing pole.
- B. Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted in some instances pursuant to Section 13.20.160 of the municipal code.
- C. Residential properties that are served by utilities located in rear yards on standard lots with frontage on only one public right-of-way shall not be required to underground existing overhead services.
- D. The obligation to provide compliance with these underground utility regulations may not be evaded by performing a series of small additions 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 28. 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 29. 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 30. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 31. 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 October 25, 2016 and was thereafter, at a regular meeting held on November 8, 2016 passed and adopted by the following vote:

AYES: BRUINS, MORDO, PEPPER, PROCHNOW, SATTERLEE
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


Jeannie Bruins, MAYOR

Attest:


Jon Maginot, CMC, CITY CLERK



STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) CERTIFIED COPY OF ORDINANCE
CITY OF LOS ALTOS) SECOND READING/ADOPTION

I, Jon Maginot, City Clerk for the City of Los Altos in said County of Santa Clara, and State of California, do hereby certify that the attached is a true and correct copy of Ordinance No. 2016-426, adopted by the Los Altos City Council on November 8, 2016 by the following vote:

AYES: BRUINS, MORDO, PEPPER, PROCHNOW, SATTERLEE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

I hereby further certify that a summary of the ordinance was published in accordance with Government Code Section 36933 on the following dates: November 2, 2016 and November 16, 2016. Said ordinance shall be effective December 8, 2016

Dated this 17 day of November, 2016.


Jon Maginot, CMC
City Clerk