



Memorandum

TO: COMMUNITY AND ECONOMIC
DEVELOPMENT COMMITTEE

FROM: Robert Sapien, Jr.

SUBJECT: SEE BELOW

DATE: September 19, 2019

Approved

/s/

Kim Walesh

Date

SUPPLEMENTAL

**SUBJECT: ADOPTION OF THE 2019 CALIFORNIA BUILDING STANDARDS
WITH LOCAL AMENDMENTS**

REASON FOR SUPPLEMENTAL

This memorandum supplements the joint memorandum submitted to the Community and Economic Development Committee on September 23, 2019 by Planning, Building, and Code Enforcement and the Fire Department. This supplemental memorandum specifies the second recommendation in the memorandum as follows:

2. Recommend the City Council approve an Ordinance to amend Chapter 17.12 and delete 17.82 of the San José Municipal Code to:
 - a) Adopt the 2019 edition of the California Fire Code, and the Standards referenced in 2019 California Fire Code.
 - b) Replace 17.82 with 2019 California Fire Code Chapter 60 and its new amendments to regulate highly toxic, toxic and moderately toxic gases.
 - c) Update previously adopted local amendments to the California Fire Code to match current code language and ensure proper cross-referencing of the San José Municipal Code to the California Fire Code.
 - d) Update the municipal code to eliminate local amendments to previous fire codes that have been incorporated into the 2019 California Fire Code.
 - e) Update and move sections of the San José Municipal Code to match their new locations in the 2019 Fire Code; and

recommends adoption of the following amendment:

- f) Adopt new local amendments regarding the design and installation requirements for 3D printing additive manufacturing, lithium battery storage, fire sprinkler systems, fire standpipe and hose systems, centrifugal fire pumps, private fire service mains, fire alarm systems, plant extract processing, and other fire safety requirements.

BACKGROUND

The Building Standards Commission (BSC) publishes triennial editions of the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code. On July 1, 2019, the BSC published the 2019 edition of the California Building Standards Code. The 2019 California Building Standards Code will apply to any building or structure for which application for a building or fire permit is made on or after January 1, 2020. The 2019 California Fire Code is based on the International Code Council published 2018 International Fire Code (IFC).

The state of California allows local municipalities to modify the state adopted building standards to make them more restrictive (not less), provided certain express findings are made that the proposed modifications are necessary due to special local climatic, geological, or topographical conditions that can affect the health, welfare, and safety of local residents.

Summary of Ordinances

The proposed ordinances accomplish the following:

1. Adopt the 2019 edition of the California Fire Code (CCR Title 24 Part 9), appendices as indicated, and the Standards referenced in 2019 California Fire Code.
2. Replace 17.82 with 2019 California Fire Code Chapter 60 and its new amendments to regulate highly toxic, toxic and moderately toxic gases.
3. Adopt new local amendments regarding the design and installation requirements for 3D printing additive manufacturing, lithium battery storage, fire suppression systems, fire standpipe and hose systems, centrifugal fire pumps, private fire service mains, fire alarm systems, plant extract processing, highly toxic, toxic and moderately toxic gas, and other fire safety requirements.
4. Update previously adopted local amendments to the California Fire Code to match current code language and cross-references.
5. Update the municipal code to eliminate local amendments to previous fire codes that have been incorporated into the 2019 California Fire Code.
6. Update and move sections of the San José Municipal Code to match their new locations in the 2019 Fire Code.

Summary of Amendments

The following summarizes the 2019 California Fire Code Amendments:

1. Adopting Chapter 1 of the 2019 California Fire Code with previous amendments regarding the Scope and Administration of the Fire Code and added additional operating permits as required by other amendments to the California Fire Code as discussed in next sections.
2. Adopting Chapter 2 of the 2019 California Fire Code with additional definitions to clarify the code including definitions required by other amendments to the code.
3. Adopting and amending Chapter 3 of the 2019 California Fire Code as follows:
 - a) Clarifying ceiling clearance for high pile storage and correct data entry error in 2019 California Fire Code Table 315.7, which addresses wood pallet separation.
 - b) Adding to Section 315 lithium battery storage and handling regulations that were previously regulated in Chapter 50 amendments to Section 315.8 Lithium Battery Storage and Handling.
 - c) Adding Section 320 to the 2019 California Fire Code to regulate 3D printing and additive manufacturing. San José is seeing larger industrial 3D printing and additive manufacturing. This section is based on the requirements for the 2021 International Fire Code for 3D Printing and clarifies the requirements for these facilities and when combustible dust and other regulations apply. This section was also recommended by the Santa Clara County Fire Marshals Committee.
4. Adopting Chapter 4 of the 2019 California Fire Code with previous amendments regarding emergency plan and hazardous materials management plan storage requirements.
5. Adopting Chapter 5 of the 2019 California Fire Code with previous amendments regarding fire apparatus roads access and address identification and added to Section 508 Fire Command Center Building Requirements.
6. Adopting Chapters 6 through 8 of the 2019 California Fire Code with no additional amendments.
7. Adopting Chapter 9 of the 2019 California Fire Code with previous amendments Fire Suppression and Alarm Regulations, Means Egress, and Existing Construction Requirements (California Fire Code Chapter 9, 10, 11 and NFPA 13, 13D, 13R, 14, 20, 24, 72, 2001, 1221).
 - a) Retaining fire sprinkler requirements and previous amendments as follows:

- i. Require automatic fire sprinklers in existing buildings when additional floor area creates a building of substantially large area in excess of 10,000 square feet, or the proposed change in use or contents of the building creates a higher risk. Require automatic fire sprinklers in new buildings that exceed 6200 square feet in area.
 - ii. Require automatic fire sprinklers throughout buildings and structure four stories or greater in height, regardless of floor area.
 - iii. Require fire sprinklers in existing detached one and two family dwellings where an increase of 500 square-feet is made to the floor area resulting to a total building floor area exceeding 3,600 square-feet.
- b) Adding amendments to clarify fire suppression and alarm requirements.
8. Adopting Chapters 20 to 37, of the 2019 California Fire Code without amendments.
9. Adopting Chapter 39 of the 2019 California Fire Code and definitions in Chapter 2 for the uses and activities related to processing and extraction facilities to be in accordance with Chapter 6.88 of Title 6 of the San José Municipal Code for carbon dioxide extraction and ethanol post oil processing.
10. Adopting Chapters 40 and 49 of the 2019 California Fire Code without amendments.
11. Adopting Chapters 50 to 67 regarding hazardous materials provisions.
 - a) Retaining previous amendments to Chapter 50 of the 2019 California Fire Code amendments regarding spill control and secondary containment requirements.
 - b) Retaining and amending to update to 2019 previous amendments for Chapter 56 of the 2019 California Fire Code for safe and sane fireworks.
 - c) Retaining previous and adding additional amendments to Chapter 57 of the 2019 California Fire Code to include requirements to add to Section 5704 overfill protection for automatic filling of above ground tanks and adding to Section 5707 for Mobile Fueling to add training, property owner liability requirements and updated sources of ignition.
 - d) Replacing 17.78 Toxic Gas Ordinance with Chapter 50 and 60 of the 2019 California Fire Code with amendments. The Santa Clara County Fire Marshal's Hazardous Material Subcommittee worked to update the regulation of toxic gas to be more in line with model code since the toxic gas ordinance is out of date and the Fire Code now has comprehensive regulations for highly toxic and toxic gas.
 - e) Deleting San José Municipal Code 17.78 Toxic Gas Ordinance based on the above.

12. Adopting Chapter 80 Referenced Standards of the California Fire Code.

- a) Adopting several referenced standards relating to the design and installation of fire protection and special systems and hazardous material systems are amended due to local climatic, geological, and topographical conditions.
- b) Updated NFPA 13D, 13R, 13, 14, 20, 24, 72 and 1221 to the 2019 editions.

13. Adopting Appendices B, C, D, K, L, N, O.

- a) Adopting Appendix B of the 2019 California Fire Code with amendments for Fire Flow Requirements for Buildings.
- b) Adopting Appendix C of the 2019 California Fire Code with previous amendments for Fire-Hydrant Locations and Distribution.
- c) Adopting Appendix D of the 2019 California Fire Code with previous amendments for Fire Apparatus Access Roads.
- d) Adopting Appendix K of the 2019 California Fire Code with no amendments for Construction Requirements for Existing Ambulatory Care Facilities.
- e) Adopting Appendix L of the 2019 California Fire Code and retaining previous amendments regarding Firefighter Breathing Air Replenishment System Adoption.
- f) Adopting Appendix N of the 2019 California Fire Code without amendments regarding Indoor Trade Shows and Exhibitions without amendments.
- g) Adopting Appendix O of the 2019 California Fire Code without amendments regarding Temporary Haunted Houses, Ghost Walks, and Similar Amusements.

EVALUATION AND FOLLOW-UP

The approval of this ordinance will not impact current performance measures. However, due to changes in the codes and standards, staff and the design professionals will need time to adjust and become familiar in the application of these new codes and standards. Current performance levels are expected to slightly decline in the first six months.

PUBLIC OUTREACH/INTEREST

Staff is in the process of presenting the proposed amendments to design professionals, developers and contractors in roundtable meetings.

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

September 19, 2019

Subject: Adoption of the California Building Standards with Local Amendments

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COORDINATION

The relevant sections of the proposed ordinance were coordinated with the Department of Planning, Building and Code Enforcement. This memorandum and proposed ordinance were coordinated with the City Attorney's Office.

CEOA

Exempt, under the provisions of the California Environmental Quality Act of 1970, as amended, 14 California Code of Regulations Section 15061(b)(3) and Title 21 of the San José Municipal Code.

/s/

ROBERT SAPIEN, JR.
Fire Chief

For questions, please contact Hector Estrada, Deputy Fire Chief/Fire Marshal, at (408) 535-7750.