

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, ADDING A NEW CHAPTER 15.18 ("INTERNATIONAL PROPERTY MAINTENANCE CODE") AND A NEW CHAPTER 15.39 ("EXPEDITED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS"), AND AMENDING CHAPTER 15.05 ("ADMINISTRATIVE CODE"), CHAPTER 15.15 ("BUILDING CODE"), CHAPTER 15.17 ("RESIDENTIAL CODE"), , CHAPTER 15.20 ("ELECTRIC CODE"), CHAPTER 15.30 ("MECHANICAL CODE"), CHAPTER 15.35 ("PLUMBING CODE"), CHAPTER 15.36 ("ENERGY CODE"), CHAPTER 15.37 ("HISTORICAL BUILDING CODE"), CHAPTER 15.38 ("GREEN BUILDING STANDARDS CODE"), AND CHAPTER 15.75 ("EXISTING BUILDING CODE"), OF TITLE 15 ("BUILDINGS AND CONSTRUCTION") OF "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA" FOR THE ADOPTION OF THE 2019 CALIFORNIA BUILDING STANDARDS CODE, AS AMENDED HEREIN

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the California Building Standards Commission has adopted and published an updated Title 24 of the California Code of Regulations, also referred to as the 2019 California Building Standards Code, that will become effective statewide on January 1, 2020; and

WHEREAS, the City of Santa Clara has reviewed and determined to adopt the 2019 California Building Standards Code pursuant to California Health and Safety Code Sections 17958 and 18941.5.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA, AS FOLLOWS:

SECTION 1: That Chapter 15.05 ("Administrative Code") of Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" ("SCCC") is repealed in its entirety and amended to read as follows:

**"Chapter 15.05
ADMINISTRATIVE CODE**

15.05.010 Adoption of Administrative Code.

The 2019 California Administrative Code published by the International Code Council,

Inc. and the California Building Standards Commission in Part 1 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The 2019 Administrative Code shall be designated and referred to as the “Administrative Code” for the City of Santa Clara.”

SECTION 2: That Chapter 15.15 (“Building Code”) of Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” (“SCCC”) is repealed in its entirety and amended to read as follows:

**“Chapter 15.15
BUILDING CODE**

15.15.010 Adoption of Building Code.

The 2019 California Building Code published by the International Code Council, Inc. and the California Building Standards Commission in Part 2 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendix A through Appendix O. The 2019 California Building Code shall be designated and referred to as the “Building Code” for the City of Santa Clara.

15.15.020 Group R3 Automatic Fire Sprinkler Systems

Part 2, Volume 1 of the 2019 California Building Code, Chapter 9, Fire Protection and Life Safety Systems, Section 903, Automatic Sprinkler Systems, Subsection 903.2.8.1, Group R-3, is hereby amended by adding the following text immediately following Subsection 903.2.8.1:

“Section 903.2.8.1.1 Additions to Group R3, Automatic Fire Sprinkler Systems. An automatic fire sprinkler system installed in accordance with Section 903.3.1.3, shall be provided throughout existing R3 occupancies, when additions are made that increase the R3 occupancy area to more than 3,600 square feet. 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%.”

15.15.030 Stairways

Part 2, Volume 1 of the 2019 California Building Code, Chapter 10, Means of Egress, Section 1011, Stairways, Subsection 1011.1, General, is hereby amended by adding the following text immediately following Subsection 1011.1:

“Section 1011.1.1 Stairway Configuration. Stairways shafts which are part of a required means of egress and which are required to be fire rated enclosed on any side, shall be entirely vertical without horizontal offsets.”

15.15.040 Exit Access

Part 2, Volume 1 of the 2019 California Building Code, Chapter 10, Means of Egress, Section 1016, Exit Access, Subsection 1016.1, General, is hereby amended by adding the following text immediately following Subsection 1016.1:

“Section 1016.1.1 Exit Access Configuration. Exit Access in multi-story buildings which are part of the required means of egress from a stairway, and which are required to be fire rated, shall be routed to the exterior of the building or structure in the shortest configuration possible.”

15.15.050 Interior Exit Stairways and Ramps

Part 2, Volume 1 of the 2019 California Building Code, Chapter 10, Means of Egress, Section 1022, Exits, Subsection 1022.1, General, is hereby amended by adding the following text immediately following Subsection 1022.1:

“Section 1022.1.1 Interior Exit Stairways and Ramps Configuration. Interior Exit Stairways and Ramps in multi-story buildings which are part of the required means of egress, and which are required to be fire rated, shall be routed to the exterior of the building or structure in the shortest configuration possible.”

SECTION 3: That Chapter 15.17 (“Residential Code”) of Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” (“SCCC”) is repealed in its entirety and amended to read as follows:

“Chapter 15.17

RESIDENTIAL CODE

15.17.010 Adoption of Residential Code.

The 2019 California Residential Code published by the International Code Council, Inc. and the California Building Standards Commission in Part 2.5 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The 2019 California Residential Code shall be designated and referred to as the "Residential Code" for the City of Santa Clara."

15.17.020 Townhouse Automatic Fire Sprinkler Systems

Title 24, Part 2.5, of the California Residential Code, Chapter 3, Building Planning, Section R313, Automatic Fire Sprinkler Systems, Subsection R313.1, Townhouse Automatic Fire Sprinkler Systems, is hereby deleted and replaced with the following:

"Section R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

(a) An automatic sprinkler system shall be provided throughout existing townhouses, when additions are made that increase the townhouse area to more than 3,600 square feet.

(b) An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed where the additions or alterations will result in a townhouse area of 3,600 square feet or less.

(c) 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%.

15.17.030 One- and Two-Family Dwellings Automatic Fire Sprinkler Systems

Title 24, Part 2.5, of the California Residential Code, Chapter 3, Building Planning, Section R313, Automatic Fire Sprinkler Systems, Subsection R313.2, One- and Two-Family Dwellings Automatic Fire Sprinkler Systems, is hereby deleted and replaced with:

"Section R313.2. One- and two-family dwellings automatic fire sprinkler systems. An automatic

residential fire sprinkler system shall be installed in one- and two-family dwellings.

1. An automatic sprinkler system shall be provided throughout existing One- and Two-Family Dwellings, when additions are made that increase the One- and Two-Family Dwelling area to more than 3,600 square feet. An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system where the additions or alterations will result in an area of 3,600 square feet or less. 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%.

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

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

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

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

2.4 The unit is on the same lot as the primary residence.”

SECTION 4: That a new Chapter 15.18 (“Property Maintenance Code”) is hereby added to Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” (“SCCC”) to read as follows:

“Chapter 15.18 PROPERTY MAINTENANCE CODE

15.18.010 Adoption of International Property Maintenance Code

The 2018 International Property Maintenance Code, published by the International Code Council, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The 2018 International Property Maintenance Code shall be designated and referred to as the “Property Maintenance Code” for the City of Santa Clara.

15.18.020 References to “Housing Code”.

Any reference to the “Housing Code” contained within the Code of the City of Santa Clara, California shall be interpreted as reference to the Property Maintenance Code.”

SECTION 5: That Chapter 15.20 (“Electric Code”) of Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” (“SCCC”) is repealed in its entirety and amended to read as follows:

“Chapter 15.20 ELECTRICAL CODE

15.20.010 Adoption of Electrical Code.

The 2019 California Electrical Code, published by the National Fire Protection Association and the California Building Standards Commission in Part 3 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The 2019 California Electrical Code shall be designated and referred to as the “Electrical Code” for the City of Santa Clara.”

SECTION 6: That Chapter 15.25 (“Housing Code”) of Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” (“SCCC”) is repealed in its entirety.

SECTION 7: That Chapter 15.30 (“Mechanical Code”) of Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” (“SCCC”) is repealed in its entirety and amended to read as follows:

“Chapter 15.30 MECHANICAL CODE

15.30.010 Adoption of Mechanical Code.

The 2019 California Mechanical Code, published by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission in Part 4 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The 2019 California Mechanical Code shall be designated and referred to as the “Mechanical Code”

for the City of Santa Clara.”

SECTION 8: That Chapter 15.35 (“Plumbing Code”) of Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” (“SCCC”) is repealed in its entirety and amended to read as follows:

**“Chapter 15.35
PLUMBING CODE**

15.35.010 Adoption of Plumbing Code.

The 2019 California Plumbing Code, published by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission in Part 5 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendix A through Appendix M. The 2019 California Plumbing Code shall be designated and referred to as the “Plumbing Code” for the City of Santa Clara.”

SECTION 9: That Chapter 15.36 (“Energy Code”) of Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” (“SCCC”) is repealed in its entirety and amended to read as follows:

**“Chapter 15.36
ENERGY CODE**

15.36.010 Adoption of Energy Code.

The 2019 California Energy Code published by the International Code Council, Inc. and the California Building Standards Commission in Part 6 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The 2019 California Energy Code shall be designated and referred to as the “Energy Code” for the City of Santa Clara.”

SECTION 10: That a new Chapter 15.37 (“Historical Building Code”) is added to Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” (“SCCC”) to read as follows:

“Chapter 15.37

HISTORICAL BUILDING CODE

15.37.010 Adoption of Historical Building Code.

The 2019 California Historical Building Code, published by the California Building Standards Commission in Part 8 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The 2019 California Historical Building Code shall be designated and referred to as the "Historical Building Code" for the City of Santa Clara."

SECTION 11: That a new Chapter 15.38 ("Green Building Standards Code") is added to Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" ("SCCC") to read as follows:

"Chapter 15.38 GREEN BUILDING STANDARDS CODE

15.38.010 Adoption of Green Building Standards Code.

The 2019 California Green Building Standards Code, published by the California Building Standards Commission in Part 11 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The 2019 California Green Building Standards Code shall be designated and referred to as the "Green Building Standards Code" for the City of Santa Clara."

SECTION 12: That a new Chapter 15.39 (Expedited Permitting Process for Electric Vehicle Charging Stations), is hereby added to Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" ("SCCC") to read as follows.

"Chapter 15.39

EXPEDITED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS

(a) Permitting. Electric Vehicle Charging Stations which qualify for expedited permit processing, pursuant to Government Code Section 65850.7, shall be subject to the administrative permitting procedures set forth in this Chapter.

(b) Expedited Review Process. Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited administrative permit review process for electric vehicle charging stations and adopt a checklist of all requirements with which electric vehicle charging stations shall comply in order to be eligible for expedited review.

(c) Electronic Submittals. Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

(d) Association Approval. Consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

(e) Permit application Processing. A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City's adopted checklist, and is consistent with all applicable laws, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

(f) Technical Review. It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. If the Building Official makes a finding based on substantial evidence that the electric

vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in Government Code 65850.7, the City may require the applicant to apply for a use permit.

(g) Appeals. A decision of the Building Official pursuant to this Chapter is appealable in writing to the Planning Commission. Such appeal shall be taken by the filing of a notice in writing to that effect with the City Planner within seven calendar days of the Building Official's decision."

SECTION 13: That Chapter 15.75 ("California Existing Building Code") of Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" ("SCCC") is repealed in its entirety and amended to read as follows:

**"Chapter 15.75
EXISTING BUILDING CODE**

15.75.010 Adoption of Existing Building Code.

The 2019 California Existing Building Code published by the International Code Council, Inc. and the California Building Standards Commission in Part 10 of Title 24 of the California Code of Regulations, is hereby adopted and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The 2019 California Existing Building Code shall be designated and referred to as the "Existing Building Code" for the City of Santa Clara."

SECTION 14: Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

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SECTION 16: Effective date. This ordinance shall take effect thirty (30) days after its final adoption, but no sooner than January 1, 2020; however, prior to its final adoption it shall be published in accordance with the requirements of California Government Code Section 50022.3 and Section 808 and 812 of "The Charter of the City of Santa Clara, California."

PASSED FOR THE PURPOSE OF PUBLICATION this ____ day of _____, 2019, by the following vote:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None
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