



City Clerk

CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
200 East Santa Clara Street
San José, California 95113
Telephone (408) 535-1260
FAX (408) 292-6207

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Toni J. Taber, City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that **"Ordinance No. 30326"**, the original copy of which is attached hereto, was passed for publication of title on the **22nd day of October**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **5th day of November, 2019**, by the following vote:

AYES: ARENAS, CARRASCO, DAVIS, DIEP, ESPARZA, FOLEY, JONES,
JIMENEZ, KHAMIS, PERALEZ, LICCARDO.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

VACANT: NONE.

Said Ordinance is effective as of **6th day of December, 2019**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **8th Day of November, 2019**.

(SEAL)

TONI J. TABER, CMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

/rmk

ORDINANCE NO. 30326

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
VARIOUS SECTIONS OF TITLE 24 (TECHNICAL CODES)
OF THE SAN JOSE MUNICIPAL CODE TO ADOPT THE
2019 CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING,
MECHANICAL, ELECTRICAL CODES, CALIFORNIA
EXISTING BUILDING CODE, CALIFORNIA HISTORICAL
BUILDING CODE, CALIFORNIA GREEN BUILDING
STANDARDS CODE, AND CALIFORNIA BUILDING
ENERGY EFFICIENCY STANDARDS WITH CERTAIN
EXCEPTIONS, MODIFICATIONS AND ADDITIONS**

WHEREAS, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City may adopt the provisions of the California Building, Residential, Plumbing, Mechanical, Electrical, Existing Building, Historical Building Codes, Green Building Standards Code, and Building Efficiency Energy Standards with certain amendments to those provisions which are reasonably necessary to protect the health, welfare and safety of the citizens of San José because of local climatic, geological and topographical conditions; and

WHEREAS, the City Council hereby makes the following findings with respect to local geological, topographical and climatic conditions relating to the amendments to the California Codes for which such findings are required:

- A. The San Francisco Bay area region is densely populated and located in an area of high seismic activities. San Jose is bounded by the Hayward and San Andreas faults capable of producing major earthquakes.
- B. Concern for fire-life safety associated with a structural failure due to a seismic event considering the increasing number of buildings in the region, the use of new structural systems, the poor performance of certain materials, and the quality of construction.
- C. Severe seismic events could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the Fire Department resulting to meet the fire and life safety needs of the community.
- D. The local geographic, topographic, and climatic conditions pose an increase hazard in acceleration, spread, magnitude, and severity of potential fires in the City of San Jose, and may cause a delayed response from emergency responders, allowing further growth of the fire.

- E. Additional findings with respect to certain amendments to the California Codes are as set forth in specific Code sections.
- F. Amendments to the California Codes have been adopted in the past by the San José City Council based on specific findings of local geographic, topographic and climatic conditions; and the Council hereby reaffirms such findings and confirms that the facts on which such findings were based continue to exist.
- G. The provisions of this Ordinance establishing certain more restrictive standards than the California Codes will better serve to prevent or minimize structural damage resulting from local conditions; and

WHEREAS, this Ordinance was found to be categorically exempt from environmental review, per the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, 14 California Code of Regulations Section 15061(b)(3), and Title 21 of the San José Municipal Code, under File Number PP19-077; and

WHEREAS, the City Council of the City of San José is the decision-making body for this Ordinance; and

WHEREAS, the City Council adopted Ordinance No. 30311 on September 17, 2019 to adopt the 2019 California Green Building Standards Code and the Energy Efficiency Standards and modifications thereto; and

WHEREAS, the City Clerk is directed to submit this ordinance upon enactment to the California Building Standards Commission for filing pursuant to applicable law; and

WHEREAS, this Council has reviewed and considered the Statement of Exemption determination under CEQA prior to taking any approval actions on this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Section 24.01.120 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.120 Exemption for Pending Applications

- A. The provisions of the 2019 California Building, Residential, Plumbing, Mechanical, Electrical Codes, California Existing Building Code, California Historical Building Code, California Building Energy Efficiency Standards, California Green Building Standards Code and California Existing Building Code as adopted and amended herein, shall not apply to any building or structure for which application for a building permit was made prior to January 1, 2020. Such buildings or structure shall be erected, constructed, enlarged, altered or repaired in accordance with the provisions of this chapter in effect at the date of said application.

- B. All other applications shall be processed in accordance with the provisions of the 2019 edition of the California Building Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, the California Existing Building Code, the California Electrical Code, the California Historical Building Code, Building Energy Efficiency Standards, the California Green Building Standards Code, and the California Existing Building Code as adopted and amended herein.

SECTION 2. Section 24.01.224 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.224 Building Code

"Building code" means the California Building Code, or CBC, 2019 edition, based on 2018 International Building Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this title.

SECTION 3. Section 24.01.233 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.233 Electrical Code

"Electrical code" means the California Electric Code or CEC, 2019 edition, based on 2017 National Electric Code promulgated by the National Fire Protection Association, as amended and set forth in the California Building Standards Code, Title 24, Part 3 and in this title.

SECTION 4. Section 24.01.236 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.236 Existing Building

"Existing building" means a building legally erected prior to January 1, 2020 or one for which a legal building permit has been issued.

SECTION 5. Section 24.01.237 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.237 Existing Building Code

"Existing building code" means the California Existing Building Code, or CEBC, 2019 edition, based on 2018 International Existing Building Code promulgated by the International Code Council, including the appendix thereto, together with those

omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this title.

SECTION 6. Section 24.01.238 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.238 Fire Code

"Fire code" is the California Fire Code or CFC, 2019 edition, based on 2018 International Fire Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in the California Code of Regulations and in this title.

SECTION 7. Section 24.01.240 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.240 Historical Building Code

"Historical building code" means the California Historical Building Code, or CHBC, 2019 edition, including the appendix thereto in Title 24 of the California Code of Regulations, together with those omissions, amendments, exceptions and additions thereto as amended in this title.

SECTION 8. Section 24.01.241 of Chapter 24.01 of Title 24 of the San José Municipal Code is hereby repealed.

24.01.241 Reserved

SECTION 9. Section 24.01.245 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.245 Mechanical Code

"Mechanical code" is the California Mechanical Code or CMC, 2019 edition, based on 2018 Uniform Mechanical Code promulgated by the International Association of Plumbing and Mechanical Officials, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this title.

SECTION 10. Section 24.01.260 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.260 Plumbing Code

"Plumbing code" is the California Plumbing Code, or CPC, 2019 edition, based on 2018 Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this title.

SECTION 11. Section 24.01.265 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.265 Residential Code

"Residential code" means the California Residential Code, or CRC, 2019 edition, based on 2018 International Residential Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in this title.

SECTION 12. Section 24.01.272 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.272 Technical Codes

"Technical codes" refer to those codes adopted by this chapter containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment as herein defined which include but are not limited to California Building Code, California Residential Code, California Plumbing Code, California Mechanical Code, California Electrical Code, California Existing Building Code, California Historical Building Code, California Building Energy Efficiency Standards, and California Green Building Standards Code.

SECTION 13. Section 24.01.350 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.350 Existing Occupancy

- A. Buildings in existence on December 31, 2019 may have their existing use or occupancy continued if the use or occupancy was legal at the time of the adoption of the building code, and provided continued use is not dangerous to life, health and safety.
- B. A change in the use or occupancy of any existing building or structure shall comply with the provisions of Part 6 of Chapter 24.02 and Chapter 24.07.

SECTION 14. Section 24.01.500 of Chapter 24.01 of Title 24 of the San José Municipal Code is amended to read as follows:

24.01.500 Building Official Powers and Duties

- A. The building official is authorized and directed to enforce all of the provisions of this title, and the technical codes, excepting that the provisions of Chapter 9 of building code shall be enforced jointly with the chief of the fire department. For such purposes, the building official and the chief of the fire department, respectively, and their respective authorized representatives, shall each have the powers of a peace officer.
- B. The building official shall have all of the following powers and authority subject to the direction and supervisory authority of the director with regard to:
 - 1. The authority granted to the "building official" by this title and the CBC.
 - 2. The authority granted to the "administrative authority" by this title, the CPC and CMC.
 - 3. The authority required to enforce the CEC.
 - 4. The authority required to enforce the CRC.
 - 5. The authority required to enforce the CALGreen.
 - 6. The authority required to enforce the CHBC.
 - 7. The authority required to enforce the CEBC.
 - 8. The authority required to enforce the California Energy Standard.

SECTION 15. Section 24.02.120 of Chapter 24.02 of Title 24 of the San José Municipal Code is amended to read as follows:

24.02.120 Building Permit Exemptions

- A. A building permit shall not be required for the following:
 - 1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m2).
 - 2. Fences not over seven feet (2,134 mm) high.

3. Oil derricks.
 4. Nonfixed and movable fixtures cases, racks, counters and partitions not over five feet nine inches (1,753 mm) high.
 5. Retaining walls which are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
 6. Water tanks supported directly upon grade if the capacity does not exceed five thousand gallons (18,925 liters) and the ratio of height to diameter or width does not exceed two to one.
 7. Sidewalks and driveways not more than thirty inches (762 mm) above adjacent grade and not over any basement or story below and are not part of an accessible route.
 8. Decks, in Group R-3 occupancy, not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve the required exit door.
 9. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
 10. Temporary motion picture, television and theater stage sets and scenery.
 11. Window awnings, in Group R-3 and U occupancies, supported by an exterior wall that do not project more than fifty-four inches from the exterior wall and do not require additional support.
 12. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, are not greater than 5,000 gallons and are installed entirely above ground.
 13. Replacement, repair or overlay of less than twenty-five percent of an existing roof within any twelve-month period.
 14. Swings and other playground equipment accessory to detached one- and two-family dwellings.
 15. Taping joints and sheetrock installations for unrated walls and ceilings.
- B. Unless otherwise exempted by this title, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

SECTION 16. Section 24.02.130 of Chapter 24.02 of Title 24 of the San José Municipal Code is amended to read as follows:

24.02.130 Plumbing Permit Exemptions

A plumbing permit shall not be required for the following:

- A. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this title.
- B. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
- C. The installation of one and twenty-eight hundredths (1.28) gallons per flush or less water closets installed in existing residential dwelling units or existing commercial restrooms, when done as part of a city water conservation retrofit incentive program. These exempted installations shall be limited to the replacement of non-water conserving water closets installed on existing roughed-in plumbing and shall not apply to water closet installations in new construction or addition, relocation or remodeling projects. Commercial restroom water closet replacements shall be made by a licensed plumbing contractor and shall comply with current accessibility requirements. Existing accessibility features may not be removed or diminished.

SECTION 17. Section 24.02.150 of Chapter 24.02 of Title 24 of the San José Municipal Code is amended to read as follows:

24.02.150 Electrical Permit Exemptions

An electrical permit shall not be required for the following:

- 1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.
- 2. Repair or replacement of fixed motors, transformers with secondary voltage of 50 volts or less for Class II and III wiring or fixed approved appliances of the same type and rating in the same location.
- 3. Temporary decorative lighting.
- 4. Repair or replacement of current-carrying parts of any switch, conductor or control device.

5. Reinstallation of attachment plug receptacles, but not the outlets therefor.
6. Replacement of any overcurrent device of the required capacity in the same location, except service equipment.
7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
8. Reserved
9. Removal of electrical wiring.
10. Temporary wiring for experimental purposes in suitable experimental laboratories.
11. The wiring for temporary theater, motion picture or television stage sets.
12. Electrical wiring, devices, appliances, apparatus or equipment operating at less than twenty-five (25) volts and not capable of supplying more than fifty (50) watts of energy, except in hazardous (classified) locations.
13. Low-energy power, control and signal circuits of Class II and Class III as defined in the Electrical Code.
14. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

SECTION 18. Section 24.02.340 of Chapter 24.02 of Title 24 of the San José Municipal Code is amended to read as follows:

24.02.340 Permit Expiration

- A. Every permit issued by the building official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within twelve (12) months from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days.
- B. All permits shall expire by limitation of time and become null and void unless an inspection indicating substantial progress in construction has been requested and performed every one hundred eighty (180) days or sooner.

- C. Before work terminated pursuant to Subsection B. above can be recommenced, a new permit shall be first obtained, and the permittee shall pay new full permit fees.

SECTION 19. Section 24.02.350 of Chapter 24.02 of Title 24 of the San José Municipal Code is amended to read as follows:

24.02.350 Plan Check Expiration

- A. All plan check submittals for which a permit is not issued shall expire by limitation and become null and void if the application is suspended or abandoned after one hundred eighty (180) days after the plan review has commenced.
- B. Plans which have approvals for permit issuance that have expired may thereafter be returned to the permittee or destroyed by building official.

SECTION 20. Section 24.02.355 of Chapter 24.02 of Title 24 of the San José Municipal Code is amended to read as follows:

24.02.355 Plan Check Renewals and Extensions

- A. All plan check submittals and approvals must be updated to meet this title when the permit is issued two or more code cycles after the application date.
- B. When a plan check submittal or approval has expired, then it must be resubmitted and appropriate fees paid for review for conformance with the current codes.
- C. Plan check time extensions for one-building projects must comply with the following:
1. A plan check submittal or approval may be extended one time for an additional one hundred eighty days by applicant making a written request to building official and paying appropriate fee.
 2. Plan check submittal or approval for one-building projects shall not be extended more than once, except that, the building official may approve an extension of not more than three hundred sixty days when the applicant demonstrates that circumstances beyond the control of applicant have prevented action from being taken. In this case, the chief building official may require that additional fees be paid and plans be revised to partially or fully comply with the current codes.
- D. Plan check time extensions for ongoing multi-building projects must comply with all of the following:

1. A plan check submittal or approval may be extended one time for an additional one hundred eighty days by applicant making written request to building official and paying appropriate fees.
2. If a permit for at least one building has been issued, then the plan check approval is valid for one hundred eighty days from the latest permit issuance date, subject to the above limitations. The plan check approval may be extended for an additional three hundred sixty-day period by applicant making a written request to building official and paying appropriate fees, subject to the above limitations.
3. Plan check submittal or approval for multi-building projects shall not be extended more than once, except that, the building official may approve an extension of not more than three hundred sixty days when the applicant demonstrates that circumstances beyond the control of applicant have prevented action from being taken. In this case, the building official may require that additional fees be paid.

SECTION 21. Section 24.02.630 of Chapter 24.02 of Title 24 of the San José Municipal Code is amended to read as follows:

24.02.630 Issuance of Certificate of Occupancy

After the building official inspects the building or structure and finds no violations of the provisions of this title or other laws, the building official shall issue a certificate of occupancy which shall contain the following:

- A. The building permit number.
- B. The address of the building.
- C. The name and address of the owner.
- D. A description of that portion of the building for which the certificate is issued.
- E. A statement that the described portion of the building has been inspected for compliance with the requirements of this title for the group and division of occupancy and the use for which the proposed occupancy is classified.
- F. The name of the building official.
- G. The edition of the code under which the permit was issued.
- H. The use and occupancy, in accordance with the provision of CBC Chapter 3.
- I. The type of construction as defined in CBC Chapter 6.

- J. If an automatic sprinkler system is provided.

SECTION 22. Section 24.02.640 of Chapter 24.02 of Title 24 of the San José Municipal Code is amended to read as follows:

24.02.640 Temporary Certificate of Occupancy

- A. If the building official finds that substantial hazard will not result from occupancy of a building or portion thereof before the same is completed, a temporary certificate of occupancy for the use of a portion or portions of a building or structure may be issued prior to the completion of the entire building or structure.
- B. Applicant shall pay required fees prior to issuance of temporary certificate of occupancy.

SECTION 23. Section 24.02.710 of Chapter 24.02 of Title 24 of the San José Municipal Code is amended to read as follows:

24.02.710 - Appeals jurisdiction.

An applicant for or holder of a permit whose proposed solution for meeting the requirements of Title 24 of the California Code of Regulations is not approved or authorized by the building official may file an appeal with the appeals hearing board.

SECTION 24. Section 24.03.100 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.100 Adoption of Technical Provisions of California Building Code

- A. Except as otherwise provided for in this chapter, the California Building Code, 2019 edition (CBC) are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CBC has been filed for use and examination of the public in the office of the city clerk of the City of San José.

SECTION 25. Section 24.03.110 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.110 Portions of California Building Code Which Are Not Approved, Adopted or Incorporated by Reference

- A. The following portions of the California Building Code, 2019 edition are not approved or adopted or incorporated in this chapter by reference, and shall not be

deemed to be a part of this chapter nor a part of the building code of the City of San José:

1. Section 1.8.4
2. Section 1.8.5
3. Section 1.8.7
4. Section 1.8.8
5. Section 1.8.9
6. Section 2505

SECTION 26. Section 24.03.115 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.115 Portions of California Building Code Appendices Are Approved, Adopted, or Incorporated by Reference

- A. The following portions of the California Building Code, 2019 edition, of the appendices are approved, adopted, or incorporated by reference.
1. CBC Appendix C, Agricultural Buildings.
 2. CBC Appendix J, Grading.

SECTION 27. Section 24.03.120 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.120 Cross-References to California Building Code

The provisions of this chapter contain cross- references to the provisions of the CBC, 2019 edition, in order to facilitate reference and comparison to those provisions.

SECTION 28. Section 24.03.210 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.210 Findings

The amendments set forth in this part are reasonably necessary because of the following local geological, topographical and climatic conditions:

- A. San José is within a very active seismic area. Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and

place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.

- B. The local geographic, topographic and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the City of San José, and may cause a delayed fire response time, allowing further growth of the fire.
- C. If not amended, Sections 402.5, 403.3, 404.3, 410.6 of the CBC would allow omission of fire sprinkler coverage in certain areas of covered malls, high-rise buildings, buildings with atriums, stages and platforms.
- D. The requirement for total fire sprinkler coverage set forth in the amendment is a more restrictive standard which will better prevent fire damage which can result from local conditions.

SECTION 29. Section 24.03.220 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.220 Covered Mall Buildings (CBC 402)

Subsection 402.5 of CBC Section 402 is deleted and replaced with the following:

402.5 Automatic sprinkler system. Covered and open mall buildings and buildings connected shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, which shall comply with all of the following:

1. The automatic sprinkler system shall be complete and operative throughout occupied space in the covered mall building prior to occupancy of any of the tenant spaces. Unoccupied tenant spaces shall be similarly protected unless provided with approved alternate protection.
2. Sprinkler protection for the mall of an all covered building mall shall be independent from that provided for tenant spaces or anchors. Where tenant spaces are supplied by the same system, they shall be independently controlled.
3. Sprinkler protection for the tenant spaces of an open mall building shall be independent from that provided for the anchor buildings.
4. Sprinkler protection shall be provided beneath exterior circulation balconies located adjacent to an open mall.

402.5.1 Standpipe system. The covered mall building shall be equipped throughout with a standpipe system as required by Section 905.3.3.

SECTION 30. Section 24.03.250 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.250 Stages and Platforms (CBC 410)

Subsection 410.6 of CBC Section 410 is deleted and replaced with the following:

410.6 Automatic sprinkler system. Stages shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1. Sprinklers shall be installed under the roof and gridiron and under all catwalks and galleries over the stage. Sprinklers shall be installed in dressing rooms, performer lounges, shops, and storerooms accessory to such stages.

Exceptions: Sprinklers are not required within portable orchestra enclosures on stages.

SECTION 31. Section 24.03.311 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.311 Section 717.2.2

CBC Section 717.2.2 is deleted and replaced with the following:

717.2.2 Hazardous exhaust ducts. Penetrations of structural elements by a hazardous exhaust system shall conform to Sections 717.2.2.1 through 717.2.2.4.

717.2.2.1 Fire dampers and smoke dampers. Fire dampers and smoke dampers are prohibited in hazardous exhaust ducts.

717.2.2.2 Floors. Hazardous exhaust systems that penetrate a floor/ceiling assembly shall be enclosed in a fire-resistance-rated shaft constructed in accordance with Section 713.

717.2.2.3 Wall assemblies. Hazardous exhaust duct systems that penetrate fire-resistance-rated construction shall be enclosed in a fire-resistance-rated shaft from the point of penetration to the outlet terminal, except where the interior of the duct is equipped with an approved automatic fire suppression system. Ducts shall be enclosed in accordance with Section 713 requirements for shaft construction and such enclosure shall have a minimum fire-resistance-rating of not less than the highest fire-resistance-rated wall assembly penetrated.

717.2.2.4 Fire walls. Ducts shall not penetrate a fire wall.

SECTION 32. Section 24.03.415 of Chapter of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.415 Cross-References to California Fire Code

The provisions of this part contain cross-references to the provisions of the California Fire Code or CFC, 2019 edition, in order to facilitate reference and comparison to those provisions.

SECTION 33. Section 24.03.425 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.425 Automatic Sprinkler Systems (CBC 903)

- A. CBC Section 903 is deleted and replaced with the 2019 fire code amendments as amended by the San José Municipal Code Section 17.12.620.

SECTION 34. Section 24.03.650 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.650 Modification to ASCE 7-16, Section 12.12.3

Equation 12.12-1 of Section 12.12.3 ASCE 7-16 is amended to read as follows:

(Equation 12.12-1)

δ_M	$= C_d \delta_{max}$
where:	
δ_M	= Maximum inelastic response displacement.
C_d	= Deflection amplification factor in Table 12.2-1 of ASCE 7.
δ_{max}	= Maximum displacement defined in Section 12.8.4.3 of ASCE 7.

SECTION 35. Section 24.03.720 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.720 Modification to CBC Section 1705.3

Section 1705.3 of CBC is amended to read as follows:

1705.3 Concrete Construction. The special inspections and tests of concrete construction shall be performed in accordance with this section and Table 1705.3.

Exceptions: Special inspections and tests shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no

greater than two thousand five hundred pounds per square inch (psi) (17.2 MPa).

2. Continuous concrete footings supporting walls of buildings three stories or less above grade plane that are fully supported on earth or rock where:
 - 2.1. The footings support walls of light-frame construction;
 - 2.2. The footings are designed in accordance with Table 1809.7; or
 - 2.3. The structural design of the footing is based on a specified compressive strength, f'_c , no greater than two thousand five hundred pounds per square inch (psi) (17.2 Mpa), regardless of the compressive strength specified in the approved construction documents or used in the footing construction.
3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than one hundred fifty psi (1.03 Mpa).
4. Concrete foundation walls constructed in accordance with table 1807.1.6.2.
5. Concrete patios, driveways and sidewalks, on grade.

SECTION 36. Section 24.03.820 of Chapter 24.03 of Title 24 of the San José Municipal Code is amended to read as follows:

24.03.820 General Design Requirements (CBC Section 2302.1)

CBC Section 2302.1, method 4 is amended to read as follows:

2302.1 General. The design of structural elements or systems, constructed partially or wholly of wood or wood-based products, shall be in accordance with one of the following methods:

1. Allowable stress design in accordance with Sections 2304, 2305 and 2306.
2. Load and resistance factor design in accordance with Sections 2304, 2305 and 2307.
3. Conventional light-frame construction in accordance with Sections 2304 and 2308.
4. Reserved.

5. The design and construction of log structures in accordance with the provisions of ICC 400.

SECTION 37. Section 24.03.830 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

24.03.830 Reserved

SECTION 38. Section 24.03.842 of Chapter 24.03 of Title 24 of the San José Municipal Code is hereby repealed.

24.03.842 ReservedSECTION 39. Section 24.04.100 of Chapter 24.04 of Title 24 of the San José Municipal Code is amended to read as follows:

24.04.100 Adoption of Technical Provisions of California Plumbing Code

- A. Except as otherwise provided for in this chapter, the California Plumbing Code, 2019 edition together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CPC has been filed for use and examination of the public in the office of the city clerk of the City of San José.

SECTION 40. Section 24.04.110 of Chapter 24.04 of Title 24 of the San José Municipal Code is amended to read as follows:

24.04.110 Portions of California Plumbing Code Which Are Not Approved, Adopted or Incorporated by Reference

- A. The following portions of the California Plumbing Code or CPC, 2019 edition are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the plumbing code of the City of San José:
 1. Section 1.8.4
 2. Section 1.8.5
 3. Section 1.8.7
 4. Section 1.8.8
 5. Section 1.8.9

6. Section 612

SECTION 41. Section 24.04.120 of Chapter of Title 24 of the San José Municipal Code is amended to read as follows:

24.04.120 Portions of California Plumbing Code Appendices Are Approved, Adopted, or Incorporated by Reference

- A. The following portions of the California Plumbing Code or CPC 2019 Edition appendices are approved, adopted, or incorporated by reference unless otherwise noted.
1. CPC Appendix A, Recommended Rules for Sizing Water Supply Systems.
 2. CPC Appendix B, Notes on Combination Waste and Vent Systems.
 3. CPC Appendix D, Sizing Stormwater Drainage Systems.
 4. CPC Appendix H, Private Sewage Disposal Systems.
 5. CPC Appendix G, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use With Type B Vents.
 6. CPC Appendix I, Installation Standards for PEX Tubing Systems.
 7. 2013 CPC Appendix I, Installation Standards.
 8. CPC Appendix M, Peak Water Demand Calculator.

SECTION 42. Section 24.05.100 of Chapter 24.05 of Title 24 of the San José Municipal Code is amended to read as follows:

24.05.100 Adoption of Technical Provisions of California Mechanical Code

- A. Except as otherwise provided for in this chapter, the California Mechanical Code, 2019 edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CMC has been filed for use and examination of the public in the office of the city clerk of the City of San José.

SECTION 43. Section 24.05.110 of Chapter 24.05 of Title 24 of the San José Municipal Code is amended to read as follows:

24.05.110 Portions Of California Mechanical Code Which Are Not Approved, Adopted or Incorporated by Reference

A. The following portions of the California Mechanical Code or CMC, 2019 edition are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the mechanical code of the City of San José:

1. Section 1.8.4
2. Section 1.8.5
3. Section 1.8.7
4. Section 1.8.8
5. Section 1.8.9

SECTION 44. Section 24.06.100 of Chapter 24.06 of Title 24 of the San José Municipal Code is amended to read as follows:

24.06.100 Adoption of Technical Provisions of California Electrical Code

- A. Except as otherwise provided for in this chapter, the California Electrical Code, 2019 edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CEC has been filed for use and examination of the public in the office of the city clerk of the City of San José.

SECTION 45. Section 24.06.110 of Chapter 24.06 of Title 24 of the San José Municipal Code is amended to read as follows:

24.06.110 Portions of California Electrical Code Which Are Not Approved, Adopted or Incorporated by Reference

A. The following portions of the California Electrical Code or CEC, 2019 edition are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the electrical code of the City of San José:

1. Section 89.108.4

2. Section 89.108.5
3. Section 89.108.7
4. Section 89.108.8
5. Section 89.108.9

SECTION 46. Section 24.07.100 of Chapter 24.07 of Title 24 of the San José Municipal Code is amended to read as follows:

24.07.100 Adoption of Technical Provisions of the California Existing Building Code

- A. Except as otherwise provided for in this chapter, the California Existing Building Code 2019 edition together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CEBC has been filed for use and examination of the public in the office of the city clerk of the City of San José.

SECTION 47. Section 24.07.110 of Chapter 24.07 of Title 24 of the San José Municipal Code is amended to read as follows:

24.07.110 Portions of California Existing Building Code Which Are Not Approved, Adopted or Incorporated by Reference

- A. The following portions of the California Existing Building Code, 2019 edition, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the building code of the City of San José:
 1. Section 1.8.4
 2. Section 1.8.5
 3. Section 1.8.7
 4. Section 1.8.8
 5. Section 1.8.9
 6. Chapters 6 through 14

SECTION 48. Section 24.07.120 of Chapter 24.07 of Title 24 of the San José Municipal Code is amended to read as follows:

24.07.120 Portions of the California Existing Building Code Appendices are Approved, Adopted, or Incorporated by Reference

The following portion of the California Existing Building Code 2019 edition appendices are approved, adopted, or incorporated by reference.

1. Appendix A, Chapters A1 through A5

SECTION 49. Chapter 24.08 of Title 24 of the San José Municipal Code is hereby repealed.

**CHAPTER 24.08
RESERVED**

SECTION 50. Section 24.09.100 of Chapter 24.09 of Title 24 of the San José Municipal Code is amended to read as follows:

24.09.100 Adoption of Technical Provisions of California Residential Code

- A. Except as otherwise provided for in this chapter, the California Residential Code, 2019 edition together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CRC has been filed for use and examination of the public in the office of the city clerk of the City of San José.

SECTION 51. Section 24.09.110 of Chapter 24.09 of Title 24 of the San José Municipal Code is amended to read as follows:

24.09.110 Portions of California Residential Code Which Are Not Approved, Adopted or Incorporated by Reference

- A. The following portions of the California Residential Code, 2019 edition, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the residential code of the City of San José:

1. Section 1.8.4

2. Section 1.8.5
3. Section 1.8.7
4. Section 1.8.8
5. Section 1.8.9
6. Chapter 1, Division II

SECTION 52. Section 24.09.110.5 of Chapter 24.09 of Title 24 of the San José Municipal Code is amended to read as follows:

24.09.110.5 Portions of the California Residential Code Appendices Are Approved, Adopted, or Incorporated by Reference

- A. The following portion of the California Residential Code or CRC 2019 edition appendices are approved, adopted, or incorporated by reference.
1. Reserved.
 2. Appendix H; Patio Covers.
 3. Appendix K; Sound Transmission.
 4. Appendix V; Swimming Pool Safety Act.

SECTION 53. Section 24.09.330 of Chapter 24.09 of Title 24 of the San José Municipal Code is amended to read as follows:

24.09.330 Wall Bracing (CRC Section R602.10 Table R602.10.3(3))

CRC Section R602.10 Table R602.10.3(3) is amended to read as follows:

TABLE R602.10.3(3)
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

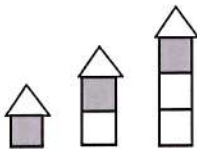
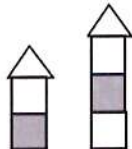

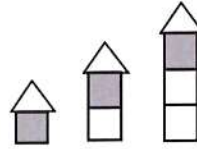
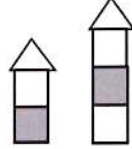

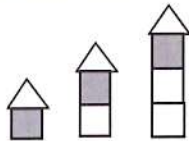
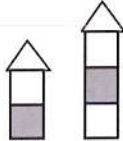

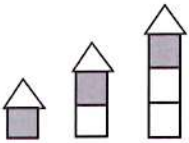
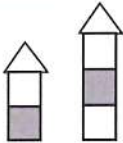

<ul style="list-style-type: none"> • SOIL CLASS D^b • WALL HEIGHT = 10 FEET • 10 PSF FLOOR DEAD LOAD • 15 PSF ROOF/CEILING DEAD LOAD • BRACED WALL LINE SPACING ≤ 25 FEET 			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE ^{a,*}				
Seismic Design Category	Story Location	Braced Wall Line Length (feet) ^c	Method LIB ^d	Method GB	Methods DWB, SFB, PBS, PCP, HPS, CS-SFB ^d	Method WSP	Methods CS-WSP, CS-G, CS-PF
C (townhouses only)		10	2.5	NP	2.5	1.6	1.4
		20	5.0	NP	5.0	3.2	2.7
		30	7.5	NP	7.5	4.8	4.1
		40	10.0	NP	10.0	6.4	5.4
		50	12.5	NP	12.5	8.0	6.8
		10	NP	NP	4.5	3.0	2.6
		20	NP	NP	9.0	6.0	5.1
		30	NP	NP	13.5	9.0	7.7
		40	NP	NP	18.0	12.0	10.2
		50	NP	NP	22.5	15.0	12.8
		10	NP	NP	6.0	4.5	3.8
		20	NP	NP	12.0	9.0	7.7
		30	NP	NP	18.0	13.5	11.5
		40	NP	NP	24.0	18.0	15.3
		50	NP	NP	30.0	22.5	19.1
D ₀		10	NP	NP	5.6	1.8	1.6
		20	NP	NP	11	3.6	3.1
		30	NP	NP	16.6	5.4	4.6
		40	NP	NP	22.0	7.2	6.1
		50	NP	NP	27.6	9.0	7.7
		10	NP	NP	NP	3.8	3.2
		20	NP	NP	NP	7.5	6.4
		30	NP	NP	NP	11.3	9.6
		40	NP	NP	NP	15.0	12.8
		50	NP	NP	NP	18.8	16.0
		10	NP	NP	NP	NP	NP
		20	NP	NP	NP	NP	NP
		30	NP	NP	NP	NP	NP
		40	NP	NP	NP	NP	NP
		50	NP	NP	NP	NP	NP

TABLE R602.10.3(3)—continued
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

<ul style="list-style-type: none"> • SOIL CLASS D^b • WALL HEIGHT = 10 FEET • 10 PSF FLOOR DEAD LOAD • 15 PSF ROOF/CEILING DEAD LOAD • BRACED WALL LINE SPACING ≤ 25 FEET 			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE ^{a,c}				
Seismic Design Category	Story Location	Braced Wall Line Length (feet) ^e	Method LIB ^d	Method GB	Methods DWB, SFB, PBS, PCP, HPS, CS-SFB ^g	Method WSP	Methods CS-WSP, CS-G, CS-PF
D ₁		10	NP	NP	6.0	2.0	1.7
		20	NP	NP	12.0	4.0	3.4
		30	NP	NP	18.0	6.0	5.1
		40	NP	NP	24.0	8.0	6.8
		50	NP	NP	30.0	10.0	8.5
		10	NP	NP	NP	4.5	3.8
		20	NP	NP	NP	9.0	7.7
		30	NP	NP	NP	13.5	11.5
		40	NP	NP	NP	18.0	15.3
		50	NP	NP	NP	22.5	19.1
		10	NP	NP	NP	NP	NP
		20	NP	NP	NP	NP	NP
		30	NP	NP	NP	NP	NP
		40	NP	NP	NP	NP	NP
		50	NP	NP	NP	NP	NP
D ₂		10	NP	NP	8.0	2.5	2.1
		20	NP	NP	16.0	5.0	4.3
		30	NP	NP	24.0	7.5	6.4
		40	NP	NP	32.0	10.0	8.5
		50	NP	NP	40.0	12.5	10.6
		10	NP	NP	NP	5.5	4.7
		20	NP	NP	NP	11.0	9.4
		30	NP	NP	NP	16.5	14.0
		40	NP	NP	NP	22.0	18.7
		50	NP	NP	NP	27.5	23.4
		10	NP	NP	NP	NP	NP
		20	NP	NP	NP	NP	NP
		30	NP	NP	NP	NP	NP
		40	NP	NP	NP	NP	NP
		50	NP	NP	NP	NP	NP
	Cripple wall below one- or two-story dwelling	10	NP	NP	NP	7.5	6.4
		20	NP	NP	NP	15.0	12.8
		30	NP	NP	NP	22.5	19.1
		40	NP	NP	NP	30.0	25.5
		50	NP	NP	NP	37.5	31.9

For SI: 1 foot = 304.8 mm, 1 pound per square foot = 47389 Pa.

- a. Linear interpolation shall be permitted.
- b. Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the S_d values associated with the seismic design categories shall be permitted when a site specific S_d value is determined in accordance with Section 1613.3 of the California Building Code.
- c. Where the braced wall line length is greater than 50 feet, braced wall lines shall be permitted to be divided into shorter segments having lengths of 50 feet or less, and the amount of bracing within each segment shall be in accordance with this table.
- d. Methods PFG and CS-SFB do not apply in Seismic Design Categories D_0 , D_1 and D_2 .
- e. Where more than one bracing method is used, mixing methods shall be accordance with section R602.10.4.1.

SECTION 54. A new section 24.09.340 is added to Chapter 24.09 of Title 24 of the San José Municipal Code to be numbered, entitled and to read as follows:

24.09.340 Section R602.10.8.1

CRC Section R602.10.8.1 is amended to read as follows:

602.10.8.1 Braced wall panel connections for Seismic Design Categories D_0 , D_1 , and D_2 . Braced wall panels shall be fastened to required foundations in accordance with Section R602.11.1, and top plate lap splices shall be face-nailed with not less than eight 16d nails on each side of the splice. Wall sheathing shall not be attached to framing members by adhesives.

All braced wall panels shall extend to the roof sheathing and shall be attached to parallel roof rafters or blocking above with framing clips (eighteen-gauge minimum) spaced at maximum twenty-four inches (6,096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum twenty-four-inch (6,096 mm) intervals along the top plate of discontinuous vertical framing.

SECTION 55. Section 24.11.100 of Chapter of Title 24 of the San José Municipal Code is amended to read as follows:

24.11.100 Adoption of Technical Provisions of the California Historical Building Code

- A. Except as otherwise provided for in this chapter, the California Historical Building Code, 2019 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.
- B. One copy of the CHBC has been filed for use and examination of the public in the office of the city clerk of the City of San José.

PASSED FOR PUBLICATION of title this 22nd day of October, 2019, by the following vote:

AYES: CARRASCO, DAVIS, DIEP, ESPARZA, JONES,
JIMENEZ, KHAMIS, PERALEZ, LICCARDO.

NOES: NONE.

ABSENT: ARENAS.

DISQUALIFIED: FOLEY.



SAM LICCARDO
Mayor

ATTEST



TONI J. TABER, CMC
City Clerk