ORDINANCE NO. 2022-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GILROY AMENDING SECTIONS 10.9 AND 10.10 OF CHAPTER 10 OF THE GILROY MUNICIPAL CODE ADOPTING BY REFERENCE THE 2022 CALIFORNIA FIRE CODE WITH AMENDMENTS

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 2022 California Building Standards Code, that will become effective statewide on January 1, 2023; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 establish the authority for a city to adopt and make local amendments and modifications to the building standards in the California Building Standards Code to establish more restrictive building standards than those contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 permit a city to make such local amendments and modifications as the city determines are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 require a city, before making any amendments and modifications to the California Building Standards Code, make an express finding that such amendments and modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Gilroy has reviewed and intends to adopt the 2022 California Fire Code; and

WHEREAS, the City Council wishes to amend portions of the California Fire Code to better address local conditions and makes express findings that such amendments are reasonably necessary because of local climatic, geological or topographical conditions as set forth in this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GILROY DOES ORDAIN AS FOLLOWS:

SECTION I

The City Council has duly considered the full record before it, which may include but is not limited to the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION II

The City Council hereby finds and determines that this Ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) (“CEQA”)
and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed Ordinance would not be an activity with potential to cause significant effect on the environment because the changes made to the California Building Standards Code within are enacted to mitigate the threats posed to public peace, health and safety from earthquakes, storms, floods, high winds and fire, and therefore is exempt from CEQA. Therefore, it can be seen with certainty that there is no possibility that the Ordinance in question may have a significant effect on the environment; accordingly, the Ordinance is categorically exempt from CEQA.

SECTION III

Section 10.9 of Chapter 10 of the Gilroy Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

10.9 Fire Code Adoption.

1. This article shall be known and cited as the Gilroy Fire Code.

2. The 2022 California Fire Code, published by the International Code Council, Inc. and the California Building Standards Commission in Part 9 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendices B, BB, C, and D. Amendments are set forth in Section 10.10. The 2022 California Fire Code shall be designated and referred to as the "Fire Code" for the City of Gilroy. There is one copy of said Code on file in the Office of Fire Prevention for use and examination by the public.

SECTION IV

Pursuant to California Health and Safety Code Sections 17958. 7 and 18941.5, the City Council hereby finds that the amendments are reasonably necessary due to local climatic, geological or topographical conditions, or to impose proper more stringent standards for fire and panic safety, as set forth below.

(1) Climatic Findings. The precipitation averages 13.86 inches per year. Approximately 90% of the precipitation falls during the months of November through April, and 10% from May through October. Relative humidity drops to 20 or lower during the dry months (summer). Temperatures have been recorded as high as 115 degrees Fahrenheit. This area has been subject to drought. It is anticipated that drought conditions will continue to occur in the future. Such conditions allow natural vegetation and outdoor combustible materials to be in a dry state for a large portion of the year, making them more susceptible to ignition and rapid burning. These conditions combined create high fire danger during the summer and fall months.
(2) **Geological Findings.** The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. This is especially critical in the facilities housing hazardous materials or occupancies requiring safe and quick evacuation in order to get to a safe location. Early warning of fire, early fire suppression and control of spread are important.

(3) **Topographical Findings.** A major rail corridor through the central portion of town divides the City. There are no overpasses available within the City boundaries. This can impair response and can serve to isolate the City’s Fire Response capability. A major highway also divides the City. There are portions of the City where there is only one overpass to access a substantial geographical area. There are no alternate routes within City boundaries; and

The highway is also part of a major truck transportation route. If an accident, or earthquake makes the overpass un-crossable this will isolate the area and impact response times; and the City has a substantial industrial area within a flood plain. Flooding in the area would isolate the area from the City’s Fire Response capability; and

The City has areas that are within hillside and open spaces defined as State Response Areas. The grade and narrow and/or lack of roadways impair the Fire Response to these areas. The presence of large areas of natural vegetation that is dry and highly ignitable during the dry and hot summer and fall months can create increase fire responses and impair fire response to other incidents. Water flow in the hillside areas is impacted as fire flows fall below 1500 gpm; and

The City is a great distance from any large metropolitan area. Response times from the nearest metropolitan fire department is a minimum of half an hour and during traffic periods in excess of 45 minutes. This serves to further isolate the City and impair Fire Response as there are fewer fire responders in the immediate area. Information on the nature of an incident in a timely manner is of greater importance than in a metropolitan area where a first alarm sends more personnel than the entire on-duty staffing of the Gilroy Fire Department. Measures which provide early fire detection, suppression and prevention of fire spread are warranted based on these findings.

(4) **Fire and Panic Safety Findings – Hazardous Materials.** Hazardous Materials use, handling and storage present unique emergency response requirements. The Gilroy Fire Department does not have its own hazardous materials team and the nearest mutual aid team is in excess of 45 minutes response time; and

The City of Gilroy relies solely on ground water for water supply and much of the area of Gilroy is in a recharge area. Hazardous Materials Spills can threaten that supply and additional measures are needed to ensure that these materials do not threaten that supply; and
Because Gilroy is remote from the main metropolitan areas, there are fewer ambulance and hospital services available to provide for large numbers of persons with injuries. Hazardous Materials and other intensive industrial uses place a competing burden on the delivery of fire services. Hazardous Material and/or facilities using, storing hazardous materials require additional controls to ensure that such hazards can be controlled; and

(5) Fire and Panic Safety Findings – Automatic Fire Sprinklers. The City’s water system is reliable and capable of providing adequate pressures and reliability to allow the use of automatic fire sprinkler systems to be economical and practical to be included in all new construction. Response to fires, medical aid and other disasters can result in fire responders to be called to multiple calls or to calls that require more suppression resources than may be on duty. Therefore, fire sprinkler systems are relied upon to provide for quick and reliable fire suppression or control. To this end, these systems are needed at a lower threshold than the International Codes provide. These systems also need to be designed to provide quick effective and complete fire protection in their activation in order to minimize the effects of fire and panic.

SECTION V

Section 10.10 of Chapter 10 of the Gilroy Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

10.10 Fire Code Amendments.

Chapter 1 is adopted in its entirety as amended below.

SECTION 101.1 TITLE. AMENDED

101.1 Title. These regulations shall be known as the City of Gilroy Fire Code, hereinafter referred to as “THIS CODE”.

Reason for amendment: The International Fire Code provides for the local agency to insert appropriate language to identify this as the City of Gilroy Fire Code.

SECTION 103.2 APPOINTMENT. AMENDED

103.2.1 Appointments. The Fire Marshal Carries out the functions of the fire code official on behalf of and under the direction of the Fire Chief and implements, administers, and enforces the provisions of this code. The Fire Marshal’s Office is established within the City of Gilroy as the Office of Fire Prevention.

Reason for amendment: The International Fire Code creates a department of fire prevention and the term “fire code official” is used throughout. The amendment inserts
language that describes how the Fire Marshal carries out the functions as the “fire code official” within the structure of the Fire Marshal’s Office within the City of Gilroy.

**SECTION 112.4 VIOLATIONS. AMENDED**

**112.4 Violation Penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor; provided, however, that where the City Attorney or his or her duly authorized agents has determined that such action would be in the best interest of justice, the City Attorney may specify in the accusatory pleading, citation or amendment thereto that the violation shall be prosecuted as an infraction. Infraction fines are implemented pursuant to Gilroy City Code Section 1.7. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Reason for amendment:** To identify the method and types of enforcement processes to be used to enforce the code. The model code requires the local agency to insert appropriate language. The language provided is consistent with the current code and procedures.

*Chapter 2 is adopted in its entirety as amended below.*

**SECTION 202 GENERAL DEFINITIONS. ADDED**

**Corrosive Liquid.** Corrosive liquid is:

1. any liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action; or
2. any liquid having a pH of 2 or less or 12.5 or more; or
3. any liquid classified as corrosive by the U.S. Department of Transportation; or
4. any material exhibiting the characteristics of corrosivity in accordance with Title 22, California Code of Regulations §66261.22.

**MODERATELY TOXIC GAS.** A chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

**Reason for amendment:** This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment consolidates definitions and allows the city to maintain the current standard used by the Gilroy CUPA Program.
Chapter 3 is adopted consistent with the State’s adoption.  
Chapter 4 is adopted consistent with the State’s adoption.  
Chapter 5 is adopted in its entirety as amended below.

SECTION 503.1 WHERE REQUIRED. AMENDED

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 in accordance with the fire departments access standards.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment allows the city to maintain the current standard used by the Gilroy Fire Department and the Gilroy City Streets.

SECTION 503.1.2 ADDITIONAL ACCESS. AMENDED

503.1.2 Additional Access. The Fire Chief is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Fire apparatus access roadways to buildings or building projects shall be reviewed and approved by the fire code official. All emergency vehicle accesses (EVA’s) shall meet engineering design standards similar to a public roadway or public driveway and be maintained by the property owner.

Thresholds for additional access are as follows:

a. For residential developments, there shall be a minimum of two approved fire access roadways when there are more than 30 one-family, two-family residential units, or more than 100 multi-family residential units. The Fire Chief will determine secondary access needs for dwellings in the Wildland Urban Interface Fire Area. In no case will more than 10 dwellings exist without a secondary fire access roadway in a Wildland Urban Interface Fire Area.

b. Where there is an individual building exceeding 3 stories in height or exceeds 62,000 sq. ft. in area, there shall be two separate access roadways to access the structure.

c. Where a building complex exceeds 120,000 sq. ft. of total building area it shall be provided with two separate and approved access roadways to the complex.

Reason for amendment: Pursuant to Section 503.1.2 the fire code official is authorized to determine when more than one fire apparatus access road is required. Due to variability in local traffic conditions, alternate routes of ingress and egress are needed, particularly in circumstances where the hazard is increased (e.g. large subdivision, large multi-family
residences, residences in a WUI environment, large buildings, etc.). This amendment provides maintains the secondary access threshold previously used, which is consistent with jurisdiction in Santa Clara County.

SECTION 503.2.1 DIMENSIONS. AMENDED

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) for engines, and 26 feet (7925 mm) for aerial fire apparatus exclusive of shoulders, except for approved gates or barricades in accordance with Sections 503.5.1 and 503.6. The unobstructed vertical clearance shall be a minimum of 13 feet 6 inches (4115 mm), or as determined by the fire code official.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment allows the city to maintain the current standard used by the Gilroy Fire Department and the Gilroy City Streets.

SECTION 503.2.4 TURNING RADIUS AMENDED

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official and a minimum of 30 feet (9144 mm) inside, and a minimum of 50 feet (15240 mm) outside.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment allows the city to maintain the current standard used by the Gilroy Fire Department and the Gilroy City Streets.

SECTION 503.2.5 DEAD ENDS. AMENDED

503.2.5 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet (45m720 mm) in length shall be provided with an approved turn-around area for turning around the fire apparatus. The turn-around shall consist of a bulb shaped cul-de-sac that accommodates the fire apparatus turning radius. Parking of vehicles within the fire apparatus turning radius shall not be permitted. Obstructions by fences or gates that may interfere with the use of turn-around are not permitted. Fire Turn-Around parking restrictions shall be identified by painting the curb red. On private property signage shall be provided indicating that it is a Fire Turnaround Dead end roads in excess of 750 ft. require special approval and may be required to have additional apparatus turn outs or greater width.

Exceptions:
1. An alternative design turn-around may be approved when the number of units served by the turn-around is less than 10 and the design is one of the published fire apparatus turn-around templates.

2. In the Residential Hillside Zone alternative designs are allowed when they can be shown to provide a minimum 3 point turn and when approved by the Fire Chief.

**Reason for amendment:** This is a Gilroy Fire amendment to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards. Pursuant to Section 503 the Fire Chief is authorized to approve the type of turn around to be provided.

**SECTION 503.2.7 GRADE. AMENDED**

503.2.7 Grade. The maximum grade of the fire department apparatus road shall not exceed 15%, unless approved by the fire code official.

**Reason for amendment:** The Fire Chief is authorized to establish the grade for fire apparatus access roads. This is a Gilroy Fire amendment to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards.

**SECTION 503.5 REQUIRED GATE OR BARRICADES**

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails, or other accessways, not including the public streets, alleys, or highways. *The minimum width for commercial applications is 20 feet (6096 mm), and 14 feet (4268 mm) for single-family dwellings.* Electric gate operators, where provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.

**Reason for amendment:** This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs.

**SECTION 503.6 SECURITY GATES. AMENDED**

503.6 Security Gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. When electronic gates are installed across one or more of the fire access roadways they shall be provided with automatic opening devices that can be activated by the fire department during a response to the location (e.g. Click 2 Enter or approved equivalent for gated communities). They shall also be provided with KNOX key over-ride switches. Electric gate operators, where
provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. The minimum width for commercial applications is 20 feet (6096 mm), and 14 feet (4268 mm) for single-family dwellings.

**Reason for amendment:** This is a Gilroy amendment continued from the last code cycle and it is to maintain consistency with current Gilroy Fire Department Policies and practices for use of automatic opening devices for new gate installations and for gates in new gated communities where response time is impeded by lack of guard shacks/security staffing. This is a Gilroy Fire amendment to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards. This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs.

**SECTION 503.7 AERIAL FIRE APPARATUS ACCESS ROADS. ADDED**

503.7 Aerial fire apparatus access roads. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 ft. (9144m), approved aerial fire apparatus access roads shall be provided. For a pitched roof the measurement of the highest roof surface is to the intersection of the roof to the exterior wall, or the top of a parapet wall, whichever is greater. At least one of the access routes shall be located a minimum of 15 ft. and a maximum of 30 ft. from the building, and shall be positioned parallel to one entire side of the building. Overhead utility and power lines shall not be located over the aerial fire apparatus road and the building. When adequate aerial access cannot be provided other means shall be provided by alternate methods and /or materials to compensate for the inadequate access. Such shall include but not be limited to: non-combustible construction components, area separation walls, and specialized access components.

**Reason for amendment:** This is a Gilroy amendment to provide for adequate aerial access for tall structures for the Fire Department. It is based on model language from the International Fire Code.

**SECTION 504.5 ACCESS CONTROL DEVICES. ADDED**

Section 504.5 Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to within and throughout the building, are installed, such devices 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 as otherwise approved by the fire code official. Access Control devices must also comply with Chapter 10 Egress.
Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment represents no change from the current standard used by Gilroy for maintaining access to buildings that have security devices (bars etc.) that impede emergency access.

SECTION 505.1.1 ILLUMINATION. ADDED

505.1.1 Illumination. New buildings shall have illuminated address numbers. Illumination shall be provided throughout the entire period of darkness.

Reason for amendment: This is a Gilroy amendment to maintain consistency with current Gilroy Security Ordinance for requiring illuminated addresses for new construction. The amendment represents no change from the current standard used by Gilroy.

SECTION 505.3 COMPLEX PREMISE IDENTIFICATION. ADDED

Section 505.3 Complex Premises Identification. When there are several multi-family units within a development, or single family units do not face a street or where units have an alley as the only driveable access (paseo frontage), an illuminated site diagram shall be installed at each driveway entrance to the development that shows the location and addresses of all units and the fire system device locations.

Reason for amendment: This is a Gilroy amendment to maintain consistency with current Gilroy Security Ordinance for signage for complexes where addressing is confusing due to building and/or street design. Alley type access developments have the units addressed from a street, but the alley is typically perpendicular to the street. This makes identification of the address difficult without having a complex diagram. This amendment represents no change from the current standard used by Gilroy.

SECTION 507.5 FIRE HYDRANT SYSTEMS. AMENDED

507.5 Fire hydrant systems. Fire hydrants systems shall comply with sections 507.5.1 through 507.5.6. Hydrants on public streets shall be installed to the City of Gilroy Public Works Standard Details. Private Fire Hydrant systems shall be installed pursuant to NFPA 24 and maintained and tested pursuant to NFPA 25 by the property owner. Private fire hydrant systems shall not share the same water supply lines with a private domestic supply and shall be on its own separate fire water mains.

Reason for amendment: The Gilroy amendment maintains consistency with current Gilroy policies and practices.

Chapter 6 is adopted in its entirety as amended below.
SECTION 603.11 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS. ADDED

603.11 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.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standard required for immersion heaters. Such heaters without emergency shut off were the cause of several fires.

SECTION 605 FUEL-FIRED APPLIANCES

Amend Section 605.5 as follows:

605.5 Portable unvented heaters. Portable unvented fuel-fired heating equipment shall be prohibited in occupancies in Groups A, B, E, I, R-1, R-2, R2.1, R2.2, R-3, R3.1 and R-4 and ambulatory care facilities.

Exceptions:

1. Portable unvented fuel-fired heaters listed in accordance with UL 647 are permitted to be used in one and two-family dwellings, where operated and maintained in accordance with the manufacturer’s instructions.

2. Portable outdoor gas-fired heating appliances in accordance with Section 605.5.2.

Amend Section 605.5.2.1.1 as follows:

605.5.2.1.1 Prohibited locations. The storage or use of portable outdoor gas-fired heating appliances is prohibited in any of the following locations:

1. Inside of any occupancy where connected to the fuel gas container.
2. Inside of tents, canopies and membrane structures.
3. On exterior balconies, and rooftops.

Exceptions: As authorized by the fire code official.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs.

Chapter 7 is adopted consistent with the State’s adoption.
Chapter 8 is adopted consistent with the State’s adoption.
Chapter 9 is adopted in its entirety as amended below.
SECTION 901.6.3. RECORDS. AMENDED

Section 901.6.3 Records. Records of all system inspections, tests and maintenance required by the referenced standard shall be maintained on the premises for a minimum of five years. Inspections and tests performed on fire alarm systems shall be documented on NFPA 72 forms.

Reason for amendment: This amendment maintains the current standard required for record keeping per NFPA standards.

SECTION 903.2 AUTOMATIC SPRINKLER SYSTEMS - WHERE REQUIRED. AMENDED

903.2 Automatic Sprinkler Systems. 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 903.2.12 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.

1. An automatic sprinkler system shall be installed throughout all new buildings and structures greater than 1,000 square feet.

Exception: Group S-2 or U occupancies used exclusively for vehicle parking or solar arrays that do not exceed 5,000 square feet.

2. An automatic sprinkler system shall be provided throughout existing Group A, B, E, F, I, L, M, R, S and U buildings and structures, when additions are made that increase the building area by more than 1,000 square feet or the where the resulting area exceeds 3,600 square feet.

3. Any change of occupancy or change in use of any building when that change in use would place the building into a more hazardous division of the same occupancy group.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. Additionally, the California Residential Code requires all new residential structures, regardless of size to have automatic fire sprinklers. This amendment also maintains the current standard used in Gilroy.

SECTION 903.1.1 NFPA 13 SPRINKLER SYSTEMS. AMENDED
903.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1 and local standards. For new buildings having no designated use or tenant, the minimum sprinkler design density shall be Ordinary Hazard Group 2. Where future use or tenant is determined to require a higher density, the sprinkler system shall be augmented to meet the higher density.

Reason for amendment: This amendment maintains the current standard used in Gilroy.

SECTION 903.3.1.3 NFPA 13D SPRINKLER SYSTEMS. AMENDED

903.3.1.3 NFPA 13D Sprinkler systems. Automatic sprinkler systems installed in one- and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and local water supply standards. An approved signaling device shall be installed on the exterior (e.g. bell) and interior (e.g. horn or alarm) of the dwelling. The riser shall be located inside of the garage or an approved protective enclosure, a pilot head installed in attic spaces to protect the force air unit and attic access and a spare head box with one of each type of fire sprinkler shall be provided.

Reason for amendment: This amendment maintains the current local standards used in Gilroy. Residential sprinkler systems do not need to be monitored, however, if there is not a signaling device to warn the occupant or community of the fire sprinkler activation, the fire sprinkler system can operate for an extended period of time creating significant water damage to the structure. To protect the riser from damage or tampering they have been approved only in a protected area. This amendment maintains the current standard used in Gilroy.

SECTION 907.1.6 FIRE ALARM CERTIFICATION. ADDED

907.1.6 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate. The protected premise shall be issued a UUFFX type certification from Underwriters Laboratories (UL).

Reason for amendment: This amendment maintains the current standard required for record keeping per NFPA standards.

SECTION 909.22.1 SMOKE CONTROL SYSTEMS. AMENDED
Section 909.22.1 Schedule. A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established and operational testing must occur at least annually.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs.

Chapter 10 is adopted consistent with the State’s adoption.
Chapter 11 is adopted consistent with the State’s adoption.
Chapter 12 is adopted consistent with the State’s adoption.
Chapters 13 through 19 reserved for future use.
Chapter 20 is adopted consistent with the State’s adoption.
Chapter 21 is adopted consistent with the State’s adoption.
Chapter 22 is adopted consistent with the State’s adoption.
Chapter 23 is adopted consistent with the State’s adoption.
Chapter 24 is adopted consistent with the State’s adoption.
Chapter 25 is adopted consistent with the State’s adoption.
Chapter 26 is adopted consistent with the State’s adoption.
Chapter 27 is adopted consistent with the State’s adoption.
Chapter 28 is adopted consistent with the State’s adoption.
Chapter 29 is adopted consistent with the State’s adoption.
Chapter 30 is adopted consistent with the State’s adoption.
Chapter 31 is adopted consistent with the State’s adoption.
Chapter 32 is adopted consistent with the State’s adoption.

Chapter 33 is adopted in its entirety as amended below:

SECTION 3305 PRECAUTIONS AGAINST FIRE

Amend Section 3305.5 as follows:
3305.5 Fire watch. Where required by the fire code official or the site safety plan established in accordance with Section 3303.1, a fire watch shall be provided for building demolition and for building construction. Fire watch is not intended to facilitate occupancy during ongoing construction in a new building.

Add Section 3305.6 to read:
3305.6 Fire Walls. When firewalls are required in combustible construction, the wall construction shall be completed (with all openings protected) immediately after the building is sufficiently weather-protected at the location of the wall(s).
Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to provide a consistent standard for ensuring that fire walls are completed during building construction to provide exit stairways during the construction of any multi-story building. This maintains the same requirement from prior code adoption cycle.

SECTION 3311 ACCESS FOR FIRE FIGHTING

Add Section 3311.1 to read:
3311.1 Required access. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

Add Section 3311.1.1 to read:
3311.1.1 Fire Department Access Roadways: All construction sites shall be accessible by fire department apparatus by means of roadways having an all-weather driving service of not less than 20ft. of unobstructed width. The roads shall have the ability to withstand the live loads of fire apparatus, and have a minimum 13ft. 6 in. of vertical clearance. Dead end fire access roads in excess of 150 ft. in length shall be provided with approved turnarounds.

When approved by the Fire Code Official, temporary access roadways may be utilized until such time that the permanent roadways are installed. As a minimum, the roadway shall consist of a compacted sub base and six (6) inches of road base material (Class 2 aggregate base rock) both compacted to a minimum 95% and sealed. The perimeter edges of the roadway shall be contained and delineated by curb and gutter or other approved method. The use of geotextile reinforcing fabric underlayment or soils lime-treatment may be required if so determined by the project civil engineer. Provisions for surface drainage may also be provided where necessary. The integrity of the roadway shall be maintained at all times.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs.

SECTION 3312 MEANS OF EGRESS

Amend Section 3312.1 as follows:
3312.1 Stairways Required. Each level above the first story in 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 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.).

Add Section 3312.4 to read:

Section 3312.4 Required Means of Egress. All buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in the written fire safety plan as required by Section 3303.1.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs.

SECTION 3315 AUTOMATIC FIRE SPRINKLER SYSTEM

Add Section 3315.1 to read

3315.1 Completion before occupancy. In buildings where an automatic sprinkler system is required by this code or the California Building Code, it shall be unlawful to occupy any portion of a building or structure until the automatic sprinkler system installation has been tested and approved.

In new buildings of combustible construction where, automatic fire sprinkler systems are required to be installed, the system shall be placed in service as soon as possible. Immediately upon the completion of sprinkler pipe installation on each floor level, the piping shall be hydrostatically tested and inspected. After inspection approval from the Fire department, each floor level of sprinkler piping shall be connected to the system supply riser and placed into service with all sprinkler heads uncovered. Protective caps may be installed on the active sprinklers during the installation of drywall, texturing and painting, but shall be removed immediately after this work is completed. For system activation notification, an exterior audible waterflow alarm bell shall be installed and connected to the sprinkler waterflow device prior to installation of the monitoring system.

For buildings equipped with fire sprinkler systems that are undergoing alterations, the sprinkler system(s) shall remain in service at all times except when system modifications are necessary. Fire sprinkler systems undergoing modifications shall be returned to service
at the end of each workday unless otherwise approved by the fire department. The General contractor or his/her designee shall check the sprinkler control valve(s) at the end of each workday to confirm that the system has been restored to service.

**Reason for amendment:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs.

*Chapter 34 is adopted consistent with the State’s adoption.*  
*Chapter 35 is adopted consistent with the State’s adoption.*  
*Chapter 36 is adopted consistent with the State’s adoption.*  
*Chapter 37 is adopted consistent with the State’s adoption.*  
*Chapter 38 is adopted consistent with the State’s adoption (not adopted by State).*  
*Chapter 39 is adopted consistent with the State’s adoption.*  
*Chapter 40 is adopted consistent with the State’s adoption.*  
*Chapters 41 through 48 reserved for future use.*

*Chapter 49 is adopted in its entirety as amended below.*

**SECTION 4901 GENERAL**

Add Section 4901.3 to read:  
**4901.3 Where applicable.** These requirements shall apply to all areas within the City of Gilroy as set forth and delineated on the map entitled "Wildland-Urban Interface Fire Area" which map and all notations, references, data and other information shown thereon are hereby adopted and made a part of this Chapter. The map properly attested, shall be on file in the Office of the Gilroy City Clerk’s Office.

Add Section 4901.4 to read:  
**4901.4 Exemptions.** These requirements shall not apply to any land or water area acquired or managed for one or more of the following purposes or uses:

1. Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened species by the state or federal government.  
2. Lands kept in a predominantly natural state as habitat for wildlife, plant, or animal communities.  
3. Open space lands that are environmentally sensitive parklands.  
4. Other lands having scenic values, as declared by the local agency, or by state or federal law.

**SECTION 4905 WILDFIRE PROTECTION BUILDING CONSTRUCTION**
Amend Section 4905.3 as follows:

4905.3 Established limits. The establishment of limits for the Wildland-Urban Interface Area’s required construction methods shall be designated pursuant to the California Public Resources Code for State Responsibility areas, and in the City of Gilroy the areas designated as Residential Hillside (RH) zoning are so designated based on their topography, vegetation, climatic and proximity to State Responsibility areas which make these methods necessary for effective fire protection within this area. The Residential Hillside Zoning areas are designated as the “City of Gilroy Wildland-Urban Interface Fire Area” and subject to the construction methods of Section 4905.2.

Reason for amendment: The model code requires the local agency to insert appropriate language to identify the area designated as Wildland Urban Interface Fire Area. The city zoning code establishes the RH – Residential Hillside Zoning District. These areas are adjacent to the State Responsibility Areas (SRA), are in heavily vegetated, steep and limited access areas, with large areas of unmanaged vegetation. This amendment maintains the current standard used in Gilroy.

Add Section 4905.4 to read:

4905.4 Fire sprinkler systems and fire protection water supplies. Buildings and structures, or portions thereof, hereafter constructed or relocated into or within the Wildland-Urban Interface Fire Area shall be provided with a fire sprinkler systems and fire protection water supplies in accordance with Chapter 5 and the sprinkler requirements in Chapter 9 as amended.

Exception: Buildings used as carports, sheds and agricultural uses with a building area of not more than 500 square feet (56 m2).

Reason for amendment: This section is part of the Santa Clara County Fire Chiefs Countywide amendments. It also maintains the prior Hillside sprinklering requirement in Gilroy.

SECTION 4906 VEGETATION MANAGEMENT. AMENDED

Add Section 4906.1.1 to read:

4906.1.1 Hazardous vegetation and fuels shall be managed to reduce the severity of potential exterior wildfire exposure to buildings, to reduce the risk of fire spreading to buildings, and provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, as required by applicable laws and standards.

Add Section 4906.1.2 to read:

4906.1.2 Maintenance required. Maintenance is required to ensure conformance with these standards and measures, and to assure continued availability, access, and utilization, of the defensible space during a wildfire.
Add Section 4906.1.3 to read:

4906.1.3 Additional measures. No person subject to these regulations shall permit any fire hazard, as defined in this chapter, to exist on premises under their control, or fail to take immediate action to abate a fire hazard when requested to do so by the enforcing agency.

Add Section 4906.1.4 to read:

4906.1.4 Exemption. For the purposes of this chapter, vegetation removal or management, undertaken in whole or in part, for fire prevention or suppression purposes shall not be deemed to alter the natural condition of public property.

Add Section 4906.2.1 to read:

4906.2.1 Application. Buildings and structures located in the following areas shall maintain and manage fuel and vegetation:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Areas (SRA) including:
   1.1 Moderate Fire Hazard Severity Zones
   1.2 High Fire Hazard Severity Zones
   1.3 Very-High Fire Hazard Severity Zones

2. Land designated as a Very-High Fire Hazard Severity Zone or designated “City of Gilroy Wildland-Urban Interface Fire Area” as established in Section 4905.3.

3. Areas designated as High Fire Hazard Severity Zones and adjacent to “City of Gilroy Wildland-Urban Interface Fire Area” may be subject to all or part of the hazardous vegetation and fuel management requirements when determined necessary by the fire code official.

Reason for amendment: Sections 4906.1.1 through 4906.1.4 are county-wide amendments recommended by the Santa Clara County Fire Chiefs. The model code requires the local agency to insert appropriate language to identify the areas where vegetation and fuel management is applicable. This amendment maintains the current standard used in Gilroy.

SECTION 4906.3.1 PROHIBITED PLANTS, ADDED

4906.3.2 Prohibited Plants. The fire code official may designate plants that are prohibited from being used in landscaping in the City of Gilroy Wildland Urban Interface Fire areas or areas adjacent to those areas pursuant to Section 4906.2. The prohibited plants list shall
be available from the Fire Prevention Office. The list shall be updated from time to time by the fire code official.

**Reason for amendment:** This is a Gilroy Fire amendment to include the existing list of Prohibited Plants that has been in effect in the Residential Hillside Areas. This amendment maintains the same list and procedure for limiting vegetation that can create an unmanageable fire protection situation during a wildfire.

**SECTION 4907 DEFENSIBLE SPACE. AMENDED**

**4907.1 General.** Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and “SRA Fire Safe Regulations” California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Very-High Fire Hazard Severity Zones of a Local Responsibility Area (LRA) and in the City of Gilroy Wildland-Urban Interface Fire Area shall maintain defensible space as outlined in Government Code 51175 – 51189 and any local ordinance of the authority having jurisdiction.

Persons owning, leasing, controlling, operating or maintaining buildings or structures in the locally adopted Wildland-Urban Interface Fire Area but that are not within the Very-High Fire Hazard Severity Zone and persons owning, leasing or controlling land adjacent to such buildings or structures, shall at all times:

1. Maintain an effective defensible space by removing and clearing away flammable vegetation and combustible growth areas within 30 feet (9144mm) of such buildings or structures.

   **Exception:** Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

2. Maintain additional effective defensible space by removing brush, flammable vegetation and combustible growth located 30 feet to 100 feet (9144 mm to 30480 mm) when required by the fire code official due to steepness of terrain or other conditions that would cause a defensible space of only 30 feet (9144 mm) to be insufficient.

   **Exception:** Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

3. Remove portions of trees, which extend within 10 feet (3048 mm) of the outlet of a chimney.

4. Maintain trees adjacent to or overhanging a building free of deadwood; and
5. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.
6. Defensible space shall also be provided around water tank structures, water supply pumps and pump houses.
7. Remove flammable vegetation a minimum of 10 feet around liquefied petroleum gas tanks/containers.
8. Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. The storage of firewood and combustible material within the defensible space shall be located a minimum of 30 feet (6096 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).

**Exception:** Firewood and combustible materials not for consumption on the premises shall be stored as approved by the Fire Chief.

9. Clear areas within 10 feet (3048 mm) of fire apparatus access roads and driveways to of non-fire-resistive vegetation growth.
10. Comply with current weed abatement, vegetation management, and waste management standards listed in Gilroy City Codes, and the Santa Clara County Weed Abatement Program.

**Exception:** Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

**Reason for amendment:** The model code provides for the local agency to insert appropriate language to identify the location and criteria for maintaining defensible space areas where vegetation and fuel management is applicable. Portions of this were part of the Santa Clara County Fire Chiefs Countywide amendments. This amendment maintains the current standard used in Gilroy.

Amend Section 4907.3 to read:

**4907.3 Requirements.** Hazardous vegetation and fuels around all buildings, *roads, driveways, and structures* shall be maintained in accordance with the following laws and regulations:

1. Public Resources Code, Sections 4291 through 4296.
2. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3, Article 3, Section 1299.03.
4. California Code of Regulations, Title 19, Division 1, Chapter 7, Subchapter 1, Section 3.07.
5. Any local ordinance of the City of Gilroy or the County of Santa Clara.

**Reason for amendment:** This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs

**SECTION 4911 IGNITION SOURCE CONTROL. ADDED**

4911.1 **Fireworks.** Fireworks shall not be used or possessed in the Gilroy Wildland-Urban Interface Fire Area or in those areas designated pursuant to 4906.2(3) as presenting a proximity to Gilroy Wildland-Urban Interface Fire Areas.

4911.2 **Wood Burning.** Wood shall not be used in outdoor fireplaces, outdoor fire pits, or outdoor BBQ’s in the Gilroy Wildland-Urban Interface Fire Area.

4911.3 **Off Road Motorized Vehicles.** Motorized vehicles shall not be operated on unpaved paths or roadways and going through brush covered areas in Gilroy Wildland-Urban Interface Fire Areas. The Fire Chief may require that access to open spaces by off road vehicles be managed by property owners.

**Exception:** Local, State and Federal Agency Vehicles on official business in the areas, or property owners or contractors that are provided consent by a property owner in order to conduct property maintenance or construction activities. Such activities shall be done with care to prevent hot vehicle parts from contacting dry or dead grass or brush.

**Reason for amendment:** This amendment includes the policies that had been in effect in Gilroy for Residential Hillside Hazardous Fire areas. Clarifies prohibitions stated in 10A.11.(d) of the Gilroy Municipal Code regarding the use of fireworks. The Hazardous Fire Area is now replaced with the Wildland Urban Interface (WUI) Fire Area. This amendment maintains the same policies for limiting sources of ignition that can create an unmanageable fire risk in the WUI areas. It also includes a prohibition for off-road vehicles that are often found to be using the undeveloped areas in the Residential Hillside areas for recreational purposes, creating a fire risk in areas where there is limited or no water supply or access to the Fire Department. This amendment maintains the current standard in Gilroy.

*Chapter 50 is adopted in its entirety as amended below.*

**SECTION 5001 GENERAL. AMENDED**
5001.2.2.2 Health Hazards. The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.

1. Highly toxic and toxic materials.
2. Corrosive materials.
4. Other health hazards.

SECTION 5003.1.3.1 TOXIC, HIGHLY TOXIC, MODERATELY TOXIC AND SIMILARLY USED OR HANDLED MATERIALS. ADDED

5003.1.3.1 Toxic, Highly Toxic, Moderately Toxic Gases and Similarly Used orHandled Materials. The storage use and handling of toxic, highly toxic and moderately toxic gases in amounts exceeding Table 5003.1.1(2), Table 5003.1.1(4) and/or Table 6004.2.1.4 shall be in accordance with this chapter and Chapter 60. Any toxic, highly toxic or moderately toxic material that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic or moderately toxic gases.

SECTION 5003.1.5 OTHER HEALTH HAZARDS. ADDED

5003.1.5 Other Health Hazards. The storage, use and handling of materials classified as other health hazards including carcinogens, irritants and sensitizers in amounts exceeding 810 cubic feet for gases, 55 gallons for liquids and 5,000 pounds for solids shall be in accordance with Section 5001 and Section 5003.

SECTION 5003.1.6 ADDITIONAL SPILL CONTROL AND SECONDARY CONTAINMENT REQUIREMENTS. ADDED

5003.1.6 Additional Spill Control and Secondary Containment Requirements. In addition to the requirements set forth in Section 5004.2. An approved containment system is required for any quantity of hazardous materials that are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger people, property or the environment. The approved containment system may be required to include a combination of spill control and secondary containment meeting the design and construction requirements set forth in Section 5004.2.

SECTION 5003.2.2.1 DESIGN AND CONSTRUCTION. AMENDED

5003.2.2.1 Design and Construction. Piping, tubing, valves, fittings and related components used for hazardous materials shall be in accordance with the following:
1. Piping, tubing, valves, fittings and related components shall be designed and fabricated from materials compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they are subject.

2. Piping and tubing shall be identified in accordance with ASME A13.1 and the Santa Clara County Fire Chiefs Marking Requirements and Guidelines for Hazardous Materials and Hazardous Waste to indicate the material conveyed.

3. Readily accessible manual valves or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing at the following locations:
   
   3.1.1. The point of use.
   3.1.2. The tank, cylinder or bulk use.

4. Manual emergency shutoff valves and controls for remotely activated emergency shutoff valves shall be identified and the location shall be clearly visible accessible and indicated by means of a sign.

5. Backflow prevention or check valves shall be provided when the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.

6. Where gases or liquids having a hazard ranking of:

   Health hazard Class 3 or 4
   Flammability Class 4
   Reactivity Class 4

In accordance with NFPA 704 are carried in pressurized piping above 15 pounds per square inch gauge (psig) (103 Kpa), an approved means of leak detection, emergency shutoff or excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical.

**Exceptions:**

1. Piping for inlet connections designed to prevent backflow.
2. Piping for pressure relief devices.
7. Secondary containment or equivalent protection from spills or leaks shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Tables 6004.2.1.4. Secondary containment includes, but is not limited to double-walled piping.

Exceptions:

1. Secondary containment is not required for toxic corrosive gases if the piping is constructed of inert materials.
2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.

8. Expansion chambers shall be provided between valves whenever the regulated gas may be subjected to thermal expansion. Chambers shall be sized to provide protection for piping and instrumentation and to accommodate the expansion of regulated materials.

SECTION 5003.2.2.2 ADDITIONAL REGULATION FOR SUPPLY PIPING FOR HEALTH HAZARD MATERIALS. AMENDED

5003.2.2.2 Additional Regulation for Supply Piping for Health Hazard Materials.
Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 shall be in accordance with ASME B31.3 and the following:

1. Piping and tubing utilized for the transmission of toxic, highly toxic, or highly volatile corrosive liquids and gases shall have welded or brazed connections throughout except for connections within an exhausted enclosure if the material is a gas, or an approved method of drainage or containment is provided for connections if the material is a liquid.

2. Piping and tubing shall not be located within corridors, within any portion of a means of egress required to be enclosed in fire-resistance-rated construction or in concealed spaces in areas not classified as Group H Occupancies.

3. All primary piping for toxic, highly toxic and moderately toxic gases shall pass a helium leak test of 1x10-9 cubic centimeters/second where practical, or shall pass testing in accordance with an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

Exception: Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed space above other occupancies when
installed in accordance with Section 415.11.7.4 of the California Building Code as required for Group H-5 Occupancies.

SECTION 5003.3.1 UNAUTHORIZED DISCHARGES. AMENDED

5003.3.1 Unauthorized discharges. In the event hazardous materials are released in quantities reportable under state, federal or local regulations or when there is release or a threatened release that presents a threat to health, property or the environment, the fire code official shall be notified immediately in an approved manner and the following procedures required in accordance with Sections 5003.3.1.1 through 5003.3.1.4.

SECTION 5003.5.2 VENTILATION DUCTING. ADDED

5003.5.2 Ventilation Ducting. Ducts venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

SECTION 5003.5.3 “H” OCCUPANCIES. ADDED

5003.5.3 “H” Occupancies. In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

SECTION 5003.10.4 ELEVATORS USED TO TRANSPORT HAZARDOUS MATERIALS. AMENDED

5003.10.4.3 Highly toxic, toxic, moderately toxic gases, asphyxiate gases, and corrosive gases shall be limited to a container of a maximum water capacity of 1 lb.

SECTION 5004.2.1 STORAGE. AMENDED

5004.2.1 Spill Control for Hazardous Material Liquids. Rooms, buildings or areas used for storage of hazardous material liquids shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor and outdoor locations or similar areas provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems, including containment pallets in accordance with Section 5004.2.3.
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills or dikes are provided, they are not required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.

SECTION 5004.2. INCOMPATIBLE MATERIALS

5004.2.2. Incompatible Materials. Incompatible shall be separated from each other in independent secondary containment systems.

Reason for amendments: These are county-wide amendments recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

Chapter 51 is adopted consistent with the State’s adoption.
Chapter 52 is reserved for future use.
Chapter 53 is adopted consistent with the State’s adoption.

Chapter 54 is adopted in its entirety as amended below.

SECTION 5402 DEFINITIONS

Amend Section 5402.1 to read:
5402.1 Definition. The following term is defined in Chapter 2:

CORROSIVE.
CORROSIVE LIQUIDS.

Chapter 55 is adopted consistent with the State’s adoption.

Chapter 56 is adopted in its entirety as amended below.

SECTION 5601.1.3 FIREWORKS. AMENDED
5601.1.3 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.

Exception: The use of fireworks for fireworks displays as allowed in Section 5608 and the sale and use of Safe and Sane Fireworks pursuant to Gilroy City Code Section 10.A.

Reason for amendment: This exception maintains that safe and sane fireworks may be stored, used and sold during the 4th of July and in conformance to Chapter 10A of the Gilroy City Code.

Chapter 57 is adopted in its entirety as amended below.

SECTION 5704 STORAGE. AMENDED

5704.2.7.5.8 Overfill Prevention. An approved means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Sections 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350. An approved means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less need only comply with Section 5704.2.9.7.5.1 (1.1)

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The amendment consolidates the requirement from different codes into one text. It will maintain the current standard used in Gilroy.

SECTION 5704.2.7.5.9 AUTOMATIC FILLING OF TANKS. ADDED

5704.2.7.9 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.
Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The amendment consolidates the requirement from different codes into one text. It will maintain the current standard used in Gilroy.

SECTION 5707.3.3 SITE PLAN. AMENDED

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, electric car chargers, solar photovoltaic parking lot canopies, and appurtenances on site and their use and function; all uses adjacent to the lot lines of the site; fueling locations, the locations of all storm drain openings and adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be kept on the site property; and the scale of the site plan.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It provides a regulatory process for the new business model of mobile on demand personal motor vehicle fueling.

Chapter 58 is adopted in its entirety as amended below.

SECTION 5809.3.4 SITE PLAN. AMENDED

5809.3.4 Site Plan. For other than emergency roadside service, a site plan shall be developed for each location at which mobile gaseous hydrogen fueling occurs. The site plan shall be in sufficient detail to indicate: all buildings, structures, lot lines, property lines and appurtenances on site and their use and function, and the scale of the site plan.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It provides a regulatory process for the new business model of mobile on demand personal motor vehicle fueling.

Chapter 59 is adopted consistent with the State’s adoption.

Chapter 60 is adopted in its entirety as amended below.

SECTION 6001.1 GENERAL. AMENDED

6001.1 Scope. The storage and use of highly toxic, toxic and moderately toxic materials shall comply with this chapter. Compressed gases shall also comply with Chapter 53.
Exception:

1. Display and storage in Group M and storage in Group S occupancies complying with Section 5003.1.1.
2. Conditions involving pesticides or agricultural products as follows:
   2.1 Application and release of pesticide, agricultural products and materials intended for use in weed abatement, erosion control, soil amendment or similar applications when applied in accordance with the manufacturer’s instruction and label directions.
   2.2 Transportation of pesticides in compliance with the Federal Hazardous Materials Transportation Act and regulations thereunder.
   2.3 Storage in dwellings or private garages of pesticides registered by the U.S. Environmental Protection Agency to be utilized in and around the home, garden, pool, spa and patio.

SECTION 6004.1 GENERAL. AMENDED

6004.1 General. The storage and use of highly toxic, toxic, and moderately toxic compressed gases shall comply with this section.

6004.1.1 Special limitations for indoor storage and use by occupancy. The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases in certain occupancies shall be subject to the limitations contained in Sections 6004.1.1.1 through 6004.1.1.3.

6004.1.1.1 Group A, E, I or U occupancies. Moderately toxic, toxic and highly toxic compressed gases shall not be stored or used within Group A, E, I or U occupancies.

Exception: Cylinders not exceeding 20 cubic feet (0.566 m³) at normal temperature and pressure (NTP) are allowed within gas cabinets or fume hoods.

6004.1.1.2 Group R occupancies. Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in Group R occupancies.

6004.1.1.3 Offices, retail sales, and classrooms. Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in offices, retail sales, or classroom portions of Group B, F, M, or S occupancies.

Exception: In classrooms of Group B occupancies, cylinders with a capacity not exceeding 20 cubic feet (0.566 m³) at NTP are allowed in gas cabinets or fume hoods.

SECTION 6004.2 INDOOR STORAGE AND USE. AMENDED

6004.2 Indoor Storage and Use. The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.2.1 through 6004.2.4.
SECTION 6004.2.1 APPLICABILITY. AMENDED

6004.2.1 Applicability. The applicability of regulations governing the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 6004.2.1.1 through 6004.2.1.4.

SECTION 6004.2.1.4 QUANTITIES EXCEEDING THE MINIMUM THRESHOLD QUANTITIES BUT NOT EXCEEDING THE MAXIMUM ALLOWABLE QUANTITIES PER CONTROL AREAS. ADDED

6004.2.1.4 Quantities exceeding the minimum threshold quantities but not exceeding the maximum allowable quantities per control area. The indoor storage or use of highly toxic, toxic, and moderately toxic gases in amounts exceeding the minimum threshold quantities per control area set forth in Table 6004.2.1.4 but not exceeding maximum allowable quantity per control area set forth in Table 5003.1.1(2) shall be in accordance with Sections 5001, 5003, 6001, 6004.1, and 6004.4

ADD TABLE 6004.2.1.4 MINIMUM THRESHOLD QUANTITIES FOR HIGHLY TOXIC, TOXIC AND MODERATELY TOXIC GASES FOR INDOOR STORAGE AND USE

| Minimum Threshold Quantities for Highly Toxic, Toxic, and Moderately Toxic Gases for Indoor Storage and Use |
|---------------------------------------------------|--------------------------------------------------|
| Highly Toxic                                      | 20 cubic feet                                   |
| Toxic                                             | 405 cubic feet                                  |
| Moderately Toxic                                  | 405 cubic feet                                  |

SECTION 6004.4 GENERAL INDOOR REQUIREMENTS. ADDED

6004.4 General Indoor Requirements. The general requirements applicable to the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.4 through 6004.4.8.2

SECTION 6004.4.1 CYLINDER AND TANK LOCATION. ADDED

6004.4.1 Cylinder and Tank Location. Cylinders shall be located within gas cabinets, exhausted enclosures, or gas rooms. Portable and stationary tanks shall be located within gas rooms or exhausted enclosures.

Exceptions:
1. Where a gas detection system is provided in accordance with 6004.4.8

SECTION 6004.4.2 VENTILATED AREAS. ADDED

6004.4.2. Ventilated Areas. The room or area in which gas cabinets or exhausted enclosures are located shall be provided with exhaust ventilation. Gas cabinets or exhausted enclosures shall not be used as the sole means of exhaust for any room or area.

SECTION 6004.4.3 PIPING AND CONTROLS. ADDED

6004.4.3. Piping and Controls. In addition to the requirements of Section 5003.2.2, piping and controls on stationary tanks, portable tanks, and cylinders shall comply with the following requirements:

1. Stationary tanks, portable tanks, and cylinders in use shall be provided with a means of excess flow control on all tank and cylinder inlet or outlet connections.

Exceptions:

1. Inlet connections designed to prevent backflow.
2. Pressure relief devices.

SECTION 6004.4.4 GAS ROOMS. ADDED

6004.4.4 Gas rooms. Gas rooms shall comply with Section 5003.8.4 and both of the following requirements:

1. The exhaust ventilation from gas rooms shall be directed to an exhaust system.
2. Gas rooms shall be equipped with an approved automatic sprinkler system. Alternative fire- extinguishing systems shall not be used.

SECTION 6004.4.5 TREATMENT SYSTEMS. ADDED

6004.4.5 Treatment systems. The exhaust ventilation from gas cabinets, exhausted enclosures and gas rooms, required in Section 6004.4.1 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in accordance with Sections 6004.2.2.7.1 through 6004.2.2.7.5 and Chapter 5 of the California Mechanical Code.

Exceptions:
1. Highly toxic, toxic, and moderately toxic gas storage. A treatment system is not required for cylinders, containers, and tanks in storage where all of the following controls are provided:

   1.1 Valve outlets are equipped with gas-tight outlet plugs or caps.
   1.2 Hand-wheel-operate dated valves have handles secured to prevent movement.
   1.3 Approved containment vessels or containment systems are provided in accordance with Section 6004.2.2.3.

2. Highly toxic, toxic, and moderately toxic gases-use. Treatment systems are not required for highly toxic, toxic, and moderately toxic gases supplied by stationary tanks, portable tanks, or cylinders where a gas detection system complying with Section 6004.4.8 and listed or approved automatic-closing fail-safe valves are provided. The gas detection system shall have a sensing interval not exceeding 5 minutes. Automatic-closing fail-safe valves shall be located immediately adjacent to cylinder valves and shall close when gas is detected at the permissible exposure limit (PEL) by a gas sensor monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room.

SECTION 6004.4.5.1 DESIGN. ADDED

6004.4.5.1 Design. Treatment systems shall be capable of diluting, adsorbing, absorbing, containing, neutralizing, burning, or otherwise processing the contents of the largest single vessel of compressed gas. Where a total containment system is used, the system shall be designed to handle the maximum anticipated pressure of release to the system when it reaches equilibrium.

SECTION 6004.4.5.2 PERFORMANCE. ADDED

6004.4.5.2. Performance. Treatment systems shall be designed to reduce the maximum allowable discharge concentrations of the gas to one-half immediate by dangerous to life and health (IDLH) at the point of discharge to the atmosphere. Where more than one gas is emitted to the treatment system, the treatment system shall be designed to handle the worst-case release based on the release rate, the quantity and the IDLH for all compressed gases stored or used.

SECTION 6004.4.5.3 SIZING. ADDED
6004.4.5.3. **Sizing.** Treatment systems shall be sized to process the maximum worst-case release of gas based on the maximum flow rate of release from the largest vessel utilized. The entire contents of the largest compressed gas vessel shall be considered.

**SECTION 6004.4.5.4 STATIONARY TANKS. ADDED**

6004.4.5.4 **Stationary Tanks.** Stationary tanks shall be labeled with the maximum rate of release for the compressed gas contained based on valves or fittings that are inserted directly into the tank. Where multiple valves or fittings are provided, the maximum flow rate of release for valves or fittings with the highest flow rate shall be indicated. Where liquefied compressed gases are in contact with valves or fittings, the liquid flow rate shall be utilized for computation purposes. Flow rates indicated on the label shall be converted to cubic feet per minute (cfm/min) (m3/s) of gas at normal temperature and pressure (NTP).

**SECTION 6004.4.5.5 PORTABLE TANKS AND CYLINDERS. ADDED**

6004.4.5.5 **Portable Tanks and Cylinders.** The maximum flow rate of release for portable tanks and cylinders shall be calculated based on the total release from the cylinder or tank within the time specified in Table 6004.2.2.7.5. Where portable tanks or cylinders are equipped with approved excess flow or reduced flow valves, the worst-case release shall be determined by the maximum achievable flow from the valve as determined by the valve manufacturer or compressed gas supplier. Reduced flow and excess flow valves shall be permanently marked by the valve manufacturer to indicate the maximum design flow rate. Such markings shall indicate the flow rate for air under normal temperature and pressure.

**SECTION 6004.4.6 EMERGENCY POWER. ADDED**

6004.4.6. **Emergency Power.** Emergency power shall be provided for the following systems in accordance with Section 604:

1. Exhaust ventilation system
2. Treatment system
3. Gas detection system
4. Smoke detection system

**SECTION 6004.4.6.1 FAIL-SAFE SYSTEMS. ADDED**

6004.4.6.1. **Fail-Safe Systems.** Emergency power shall not be required for mechanical exhaust ventilation and treatment systems where approved fail-safe systems are installed and designed to stop gas flow.

**SECTION 6004.4.7 AUTOMATIC FIRE DETECTION SYSTEMS. ADDED**

6004.4.7. **Automatic Fire Detection System.** An approved automatic fire detection system shall be installed in rooms or areas where highly toxic, toxic, and moderately toxic
compressed gases are stored or used. Activation of the detection system shall sound a local alarm. The fire detection system shall comply with Section 907.

SECTION 6004.4.8 GAS DETECTION SYSTEMS. ADDED

6004.4.8. Gas Detection System. A gas detection system complying with Section 916 shall be provided to detect the presence of gas at or below the PEL or ceiling limit of the gas for which detection is provided.

Exceptions:

1. A gas detection system is not required for toxic and moderately toxic gases when the physiological warning threshold level for the gas is at a level below the accepted PEL for the gas.
2. A gas detection system is not required for highly toxic, toxic, and moderately toxic gases where cylinders, portable tanks, and all non-continuously welded connects are within a gas cabinet or exhausted enclosures.

SECTION 6004.4.8.1 ALARMS. ADDED

6004.4.8.1 Alarms. The gas detection system shall initiate a local alarm and transmit a signal to an approved location.

SECTION 6004.4.8.2 SHUT OFF OF GAS SUPPLY. ADDED

6004.4.8.2. Shut off of gas supply. The gas detection system shall automatically close the shut-off valve at the source on gas supply piping and tubing related to the system being monitored for whichever gas is detected.

Exceptions: Automatic shutdown is not required for highly toxic, toxic, and moderately toxic compressed gas systems where all of the following controls are provided:

1. Constantly attended/supervised.
2. Provided with emergency shutoff valves that have ready access.

Reason for amendments: These are county-wide amendments for Chapter 60 recommended by the Santa Clara County Fire Chiefs.

Chapter 61 is adopted consistent with the State’s adoption.
Chapter 62 is adopted consistent with the State’s adoption.
Chapter 63 is adopted consistent with the State’s adoption.

Chapter 64 is adopted in its entirety as amended below.

SECTION 6405.3.1 SILANE DISTRIBUTION SYSTEMS AUTOMATIC SHUTDOWN. ADDED
6405.3.1 Silane Distribution Systems Automatic Shutdown. Silane distribution systems shall automatically shut down at the source upon activation of the gas detection system at levels above the alarm level and/or failure of the ventilation system for the silane distribution system.

Reason for amendment: All the amendments to Section 6004 that follow are part of a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards and accepted practices within the County of Santa Clara and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

Chapter 65 is adopted consistent with the State’s adoption.
Chapter 66 is adopted consistent with the State’s adoption.
Chapter 67 is adopted consistent with the State’s adoption.
Chapters 68 through 79 reserved for future use.

Chapter 80 is adopted in its entirety as amended below.

Add the following reference standard to read:
855 – 20: Standard for the Installation of Stationary Energy Storage Systems

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs.

APPENDIX A NOT ADOPTED BY THE STATE FIRE MARSHAL.

APPENDIX B is adopted in its entirety as amended below.

SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS

Amend Section B105.2 to read:
B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.1(2) and B105.2.
Exceptions: [SFM] Group B, S-2, and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

1. California State Parks buildings of an accessory nature (restrooms).
2. Safety roadside rest areas (SRRA) and public restrooms.
3. Truck inspection facilities (TIF), CHP office space, and vehicle inspection bays.
4. Sand/salt storage buildings, storage of sand and salt.

The maximum fire flow reduction for all commercial buildings greater than 30,000 square feet and residential podium buildings shall not exceed 25 percent of the fire flow specified in Table B105.1(2). The maximum fire flow reduction for all other buildings shall not exceed 50 percent of the fire flow specified in Table B105.1(2).

**Reason for amendment:** This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. These amendments limit the amount that fire flow can be reduced.

*APPENDIX BB is adopted consistent with the State’s adoption.*

*APPENDIX C is adopted in its entirety as amended below.*

**SECTION C102 NUMBER OF FIRE HYDRANTS**

Amend Section C102.1 to read:

**C102.1 Minimum number of fire hydrants for a building.** The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1, utilizing the base fire flow without fire sprinkler reduction.

**Reason for amendment:** This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs.
SECTION C103  FIRE HYDRANTS SPACING

Amend Section C103.1 to read:

C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the California Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3, but in no case shall the average spacing be more than 300 feet on center.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs and is consistent with the City of Gilroy’s existing standards and specifications.

APPENDIX D is adopted in its entirety as amended below.

SECTION D103  MINIMUM SPECIFICATIONS

Amend Section D103.2 as follows:

D103.2 Grade. The maximum grade of a fire department apparatus access road shall not exceed 15 percent unless approved by the fire code official.

Amend Section D103.3 as follows:

D103.3 Turning radius. The required turning radius of a fire apparatus access roads shall be a minimum of 30 inside, and a minimum of 50 outside.

Amend Section D103.4 to read:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4, as approved by the fire code official.

Amend Table D103.4 to read:
TABLE D103.4
REQUIREMENTS FOR DEAD-END
FIRE APPARATUS ACCESS ROADS

<table>
<thead>
<tr>
<th>Length (feet)</th>
<th>WIDTH (feet)</th>
<th>TURAROUDS REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 150</td>
<td>26</td>
<td>Not required, unless determined necessary by the fire code official</td>
</tr>
<tr>
<td>151 – 500</td>
<td>26</td>
<td>120-foot Hammerhead, 60-foot “Y” or 96-foot-diameter cul-de-sac in accordance with Figure D103.1</td>
</tr>
<tr>
<td>500– 750</td>
<td>26</td>
<td>120-foot Hammerhead, 60-foot “Y” or 96-foot-diameter cul-de-sac in accordance with Figure D103.1</td>
</tr>
<tr>
<td>Over 750</td>
<td>Special approval required</td>
<td></td>
</tr>
</tbody>
</table>

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria: the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 20 feet (6096 mm).
2. Gates shall be of the horizontal swing, horizontal slide, vertical lift or vertical pivot type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Methods of locking shall be submitted for approval by the fire code official.
7. Electric gate operators, where provided, shall be listed in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs.

SECTION VI

Upon adoption of each new California Building Standards Code, the Ordinance adopting the previously adopted California Building Standards Code is superseded in its entirety. This Ordinance does not repeal the 2022 Ordinance that adopts by reference and amends parts of the
2022 California Building Standards Code, nor the 2022 Ordinance that adopts by reference and amends the 2022 California Green Building Standards Code.

SECTION VII
The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision, or part shall not affect the validity of the remainder.

SECTION VIII
In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its final adoption by the City Council, but no sooner than January 1, 2023.

PASSED AND ADOPTED this 21st day of November 2022 by the following roll call vote:

AYES: COUNCIL MEMBERS: ARMENDARIZ, BRACCO, LEROE-MUÑOZ, MARQUES, TOVAR, BLANKLEY
NOES: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: HILTON

APPROVED:

Marie Blankley
Marie Blankley (Nov 22, 2022 11:18 PST)
Marie Blankley, Mayor

ATTEST:

Thai Nam Pham, City Clerk
CERTIFICATE OF THE CLERK

I, THAI NAM PHAM, City Clerk of the City of Gilroy, do hereby certify that the attached Ordinance No. 2022-12 is an original ordinance, or true and correct copy of a city Ordinance, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said held on Council held Monday, November 21, 2022, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this Monday, November 21, 2022.

Thai Nam Pham, CMC, CPMC
City Clerk of the City of Gilroy

(Seal)