

Ordinance No. 5565

Ordinance of the Council of the City of Palo Alto Repealing Chapter 16.05 of the Palo Alto Municipal Code and Amending Title 16 to Adopt a New Chapter 16.05, California Mechanical Code, 2022 Edition, and Local Amendments and Related Findings

The Council of the City of Palo Alto does ORDAIN as follows:

**SECTION 1.** Chapter 16.05 of the Palo Alto Municipal Code is hereby amended by repealing in its entirety 16.05 and adopting a new Chapter 16.05 to read as follows:

**CHAPTER 16.05  
CALIFORNIA MECHANICAL CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4**

**Sections**

- 16.05.010** 2022 California Mechanical Code, Title 24, Part 4 adopted and amended.
- 16.05.020** Cross - References to California Mechanical Code.
- 16.05.030** Local Amendments.
- 16.05.040** Administration & Enforcement of 2022 California Mechanical Code.
- 16.05.045** Adoption of Chapter 1, Division II Administration.
- 16.05.050** Section 102.8 Appendices.
- 16.05.060** Section 104.2 Exempt from this code.
- 16.05.070** Section 510.7 Interior installations.

**16.05.010** 2022 California Mechanical Code, Title 24, Part 4 adopted and amended.

The California Mechanical Code, 2022 Edition, Title 24, Part 4 of the California Code of Regulations together with those omissions, amendments, exceptions and additions thereto, is adopted and hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

Unless superseded and expressly repealed, references in City of Palo Alto forms, documents and regulations to the chapters and sections of the former editions of the California Code of Regulations, Title 24 shall be construed to apply to the corresponding provisions contained within the California Code of Regulations, Title 24, 2022. Ordinance No. 5478 of the City of Palo Alto and all other ordinances or parts of ordinances in conflict herewith are hereby suspended and expressly repealed. Wherever the phrases "California Mechanical Code" or "Mechanical Code" are used in this code or any ordinance of the City, such phrases shall be deemed and construed to refer and apply to the California Mechanical Code, 2022 Edition, Title 24, Part 4 of the California Code of Regulations, as adopted by this Chapter.

One copy of the California Mechanical Code, 2022 edition, has been filed for use and examination of the public in the Office of the Building Official of the City of Palo Alto.

**16.05.020 Cross - References to California Mechanical Code.**

The provisions of this Chapter contain cross-references to the provisions of the California Mechanical Code, 2022 Edition, in order to facilitate reference and comparison to those provisions.

**16.05.030 Local Amendments.**

The provisions of this Chapter shall constitute local amendments to the cross-referenced provisions of the California Mechanical Code, 2022 Edition, and shall be deemed to replace the cross-referenced sections of said Code with the respective provisions set forth in this Chapter.

**16.05.040 Administration & Enforcement of 2022 California Mechanical Code.**

Administration and enforcement of this code shall be governed by Chapter 1, Division II of the 2022 California Building Code as amended by Palo Alto Municipal Code Chapter 16.04.

**16.05.045 Adoption of Chapter 1, Division II Administration.**

Chapter 1, Division II Administration of the 2022 California Mechanical Code is adopted by the City of Palo Alto to supplement, to the extent it does not conflict with, Chapter 1, Division II of the 2022 California Building Code, as amended.

**16.05.050 Section 102.8 Appendices.**

The following Appendix Chapters of the California Mechanical Code, 2022 Edition, are adopted and hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein:

- A. Appendix B – Procedures to be followed to place gas equipment in operation
- B. Appendix C – Installation and testing of oil (liquid) fuel-fired equipment
- C. Appendix G – Sizing of venting systems and outdoor combustion and ventilation opening design

**16.05.060 Section 104.2 Exempt from this code.**

Subdivision (6) of Section 104.2 of Chapter 1 of the California Mechanical Code is added to read:

- (6) **ADDITIONAL EXCEPTIONS:** Reference **Mechanical Section** under **PAMC 16.04.110 Section 105.2 Work exempt from permit.**

**16.05.070 Section 510.7 Interior installations.**

Section 510.7 of Chapter 5 of the California Mechanical Code is amended to read:

**Section 510.7 Interior installations.** In all buildings, the ducts shall be enclosed in a continuous enclosure extending from the lowest fire-rated ceiling or floor above the hood, through any concealed spaces, to or through the roof so as to maintain the

integrity of the fire separations required by the applicable building code provisions. The enclosure shall be sealed around the duct at the point of penetration of the lowest fire-rated ceiling or floor above the hood in order to maintain the fire resistance rating of the enclosure and shall be vented to the exterior of the building through weather-protected openings. [NFPA 96:7.7.1.2 – 7.7.1.4]

**SECTION 2.** The Council adopts the findings for local amendments to the California Mechanical Code, 2022 Edition, attached hereto as Exhibit “A” and incorporated herein by reference.

**SECTION 3.** The Council finds that this project is exempt from the provisions of the California Environmental Quality Act (“CEQA”), pursuant to Section 15061 of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the amendments herein adopted will have a significant effect on the environment.

**SECTION 4.** This Ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED: October 17, 2022

PASSED: November 14, 2022

AYES: BURT, CORMACK, DUBOIS, FILSETH, KOU, STONE, TANAKA

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

DocuSigned by:  
*Lesley Milton*  
E96491CF3DB34FA...  
City Clerk

DocuSigned by:  
*Patrick Burt*  
ED8E9CFB89E04FF...  
Mayor

APPROVED AS TO FORM:

DocuSigned by:  
*Albert Yang*  
19B6C45220134DC...  
Assistant City Attorney

APPROVED:

DocuSigned by:  
*Ed Shibada*  
F2DCA19CC8B04F9...  
City Manager

DocuSigned by:  
*[Signature]*  
293CF322E1294FB...  
Director of Planning and Development Services

DocuSigned by:  
*Kelly S. Nese*  
0513042E39B44C9...  
Director of Administrative Services

**Exhibit A****FINDINGS FOR LOCAL AMENDMENTS TO CALIFORNIA MECHANICAL CODE,  
TITLE 24, PART 4**

Section 17958 of the California Health and Safety Code provides that the City may make changes to the provisions of the California Building Standards Code. Sections 17958.5 and 17958.7 of the Health and Safety Code require that for each proposed local change to those provisions of the California Building Standards Code which regulate buildings used for human habitation, the City Council must make findings supporting its determination that each such local change is reasonably necessary because of local climatic, geological, or topographical conditions.

Local building regulations having the effect of amending the uniform codes, which were adopted by the City prior to November 23, 1970, were unaffected by the regulations of Sections 17958, 17958.5 and 17958.7 of the Health and Safety Code. Therefore, amendments to the uniform codes which were adopted by the City Council prior to November 23, 1970 and have been carried through from year to year without significant change, need no required findings. Also, amendments to provisions not regulating buildings used for human habitation do not require findings.

<b>Code: California Mechanical Code, Title, 24, Part 4</b>					
<b>Chapter(s), Sections(s), Appendices</b>	<b>Title</b>	<b>Added</b>	<b>Amended</b>	<b>Replaced</b>	<b>Justification (See below for keys)</b>
Ch. 1, Div. II	ADMINISTRATION	✓			<b>A</b>
102.8	Appendices		✓		<b>A</b>
	Administration and Enforcement	✓			<b>A</b>
104.2	Exempt from this code	✓			<b>A</b>
510.7	Interior installations		✓		<b>G</b>
Appx. B	Procedures to be followed to place gas equipment in operation	✓			<b>A</b>
Appx. C	Installation and testing of oil (liquid) fuel-fired equipment	✓			<b>A</b>
Appx. G	Sizing of venting system and outdoor combustion and ventilation opening design	✓			<b>A</b>

## Key to Justification for Amendments to Title 24 of the California Code of Regulations

**A** This is an **administrative** amendment to clarify and establish civil and administrative procedures, regulations, or rules to enforce and administer the activities by the Palo Alto Building Inspection Department. These administrative amendments do not need to meet HSC 18941.5/17958/13869 per HSC 18909(c).

**C** This amendment is justified based on a local **climatic** condition. The seasonal climatic conditions during the late summer and fall create severe fire hazards to the public health and welfare in the City. The hot, dry weather frequently results in wild land fires on the brush covered slopes west of Interstate 280. The aforementioned conditions combined with the geological characteristics of the hills within the City create hazardous conditions for which departure from California Building Standards Code is required.

**G** This amendment is justified based on a local **geological** condition. The City of Palo Alto is subject to earthquake hazard caused by its proximity to San Andreas fault. This fault runs from Hollister, through the [Santa Cruz Mountains](#), epicenter of the [1989 Loma Prieta earthquake](#), then on up the [San Francisco Peninsula](#), then offshore at [Daly City](#) near [Mussel Rock](#). This is the approximate location of the epicenter of the [1906 San Francisco earthquake](#). The other fault is Hayward Fault. This fault is about 74 mi long, situated mainly along the western base of the hills on the east side of [San Francisco Bay](#). Both faults are considered major Northern California earthquake faults which may experience rupture at any time. Thus, because the City is within a seismic area which includes these earthquake faults, the modifications and changes cited herein are designed to better limit property damage as a result of seismic activity and to establish criteria for repair of damaged properties following a local emergency.

**T** The City of Palo Alto **topography** includes hillsides with narrow and winding access, which makes timely response by fire suppression and emergency response vehicles difficult. Palo Alto is contiguous with the San Francisco Bay, resulting in a natural receptor for storm and wastewater run-off. Also, the City of Palo Alto is located in an area that is potentially susceptible to liquefaction during a major earthquake. The surface condition consists mostly of stiff to dense sandy clay, which is highly plastic and expansive in nature. The aforementioned conditions within the City create hazardous conditions for which departure from California Building Standards Code is warranted.

**Certificate Of Completion**

Envelope Id: D7A3D7A742E54B7B93989ECE93D9649F

Status: Completed

Subject: DocuSign: Adoption of 9 Ordinances Related to the 2022 CA Building Codes

Source Envelope:

Document Pages: 173

Signatures: 55

Envelope Originator:

Certificate Pages: 3

Initials: 0

Vinhloc Nguyen

AutoNav: Enabled

250 Hamilton Ave

Envelopeld Stamping: Enabled

Palo Alto , CA 94301

Time Zone: (UTC-08:00) Pacific Time (US &amp; Canada)

Vinhloc.Nguyen@CityofPaloAlto.org

IP Address: 199.33.32.254

**Record Tracking**

Status: Original

Holder: Vinhloc Nguyen

Location: DocuSign

11/21/2022 11:02:42 AM

Vinhloc.Nguyen@CityofPaloAlto.org

Security Appliance Status: Connected

Pool: StateLocal

Storage Appliance Status: Connected

Pool: City of Palo Alto

Location: DocuSign

**Signer Events****Signature****Timestamp**

Albert Yang


Albert.Yang@CityofPaloAlto.org

Assistant City Attorney

City of Palo Alto

Security Level: Email, Account Authentication  
(None)

DocuSigned by:



15B6C45220134DC...

Sent: 11/21/2022 11:11:03 AM

Viewed: 11/21/2022 2:49:57 PM

Signed: 11/21/2022 2:51:09 PM

Signature Adoption: Pre-selected Style

Using IP Address: 97.126.59.62

**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Geoffrey Blackshire


Geoffrey.Blackshire@CityofPaloAlto.org

Fire Chief

Fire Services

Security Level: Email, Account Authentication  
(None)

DocuSigned by:



0FF7BFD93914C6...

Sent: 11/21/2022 2:51:19 PM

Resent: 11/29/2022 3:43:47 PM

Viewed: 11/29/2022 3:54:58 PM

Signed: 11/29/2022 3:56:24 PM

Signature Adoption: Pre-selected Style

Using IP Address: 199.33.32.254

**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Brad Eggleston


Brad.Eggleston@CityofPaloAlto.org

Director of Public Works

City of Palo Alto

Security Level: Email, Account Authentication  
(None)

DocuSigned by:



DF8505A6373A4DF...

Sent: 11/29/2022 3:56:35 PM

Viewed: 11/29/2022 5:45:39 PM

Signed: 11/29/2022 5:46:20 PM

Signature Adoption: Pre-selected Style

Using IP Address: 199.33.32.254

**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Kiely Nose

Kiely.Nose@CityofPaloAlto.org

Director, Administrative Services/CFO

City of Palo Alto

Security Level: Email, Account Authentication  
(None)

DocuSigned by:



0513042E38B4409...

Sent: 11/29/2022 5:46:29 PM

Viewed: 12/1/2022 7:25:34 AM

Signed: 12/1/2022 7:26:13 AM

Signature Adoption: Uploaded Signature Image


Using IP Address: 73.162.77.140

**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Signer Events	Signature	Timestamp
---------------	-----------	-----------

Jonathan Lait  
 Jonathan.Lait@CityofPaloAlto.org  
 Interim Director Planning and Community Environment  
 City of Palo Alto  
 Security Level: Email, Account Authentication (None)  
**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

DocuSigned by:  
  
 293CF322E1294F6...  
 Signature Adoption: Uploaded Signature Image  
 Using IP Address: 99.88.42.180


Sent: 12/1/2022 7:26:27 AM  
 Viewed: 12/1/2022 11:12:56 AM  
 Signed: 12/1/2022 11:16:47 AM

Ed Shikada  
 Ed.Shikada@CityofPaloAlto.org  
 Ed Shikada, City Manager  
 City of Palo Alto  
 Security Level: Email, Account Authentication (None)  
**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

DocuSigned by:  
  
 F2DCA19CCC8D4F9...  
 Signature Adoption: Pre-selected Style  
 Using IP Address: 199.33.32.254

Sent: 12/1/2022 11:16:58 AM  
 Viewed: 12/1/2022 1:50:09 PM  
 Signed: 12/1/2022 1:50:45 PM

Patrick Burt  
 pat@patburt.org  
 Mr  
 Security Level: Email, Account Authentication (None)  
**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

DocuSigned by:  
  
 ED9E9CFB89E64FF...  
 Signature Adoption: Pre-selected Style  
 Using IP Address: 98.37.159.0

Sent: 12/1/2022 1:50:55 PM  
 Resent: 12/2/2022 10:23:28 AM  
 Viewed: 12/2/2022 11:49:03 AM  
 Signed: 12/2/2022 11:49:57 AM

Lesley Milton  
 Lesley.Milton@CityofPaloAlto.org  
 City Clerk  
 City Clerk  
 Security Level: Email, Account Authentication (None)  
**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

DocuSigned by:  
  
 E56491CF3DB34FA...  
 Signature Adoption: Pre-selected Style  
 Using IP Address: 199.33.32.254

Sent: 12/2/2022 11:50:10 AM  
 Viewed: 12/2/2022 11:55:06 AM  
 Signed: 12/2/2022 11:55:38 AM

In Person Signer Events	Signature	Timestamp
-------------------------	-----------	-----------

Editor Delivery Events	Status	Timestamp
------------------------	--------	-----------

Agent Delivery Events	Status	Timestamp
-----------------------	--------	-----------

Intermediary Delivery Events	Status	Timestamp
------------------------------	--------	-----------

Certified Delivery Events	Status	Timestamp
---------------------------	--------	-----------

Carbon Copy Events	Status	Timestamp
--------------------	--------	-----------

Witness Events	Signature	Timestamp
----------------	-----------	-----------

Notary Events	Signature	Timestamp
---------------	-----------	-----------

Envelope Summary Events	Status	Timestamps
-------------------------	--------	------------

Envelope Sent	Hashed/Encrypted	11/21/2022 11:11:03 AM
Certified Delivered	Security Checked	12/2/2022 11:55:06 AM

<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Signing Complete	Security Checked	12/2/2022 11:55:38 AM
Completed	Security Checked	12/2/2022 11:55:38 AM

<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
-----------------------	---------------	-------------------