

ORDINANCE NO. _____
ORDINANCE OF THE COUNCIL OF THE CITY OF PALO ALTO
REPEALING CHAPTER 16.08 OF THE PALO ALTO MUNICIPAL
CODE AND AMENDING TITLE 16 TO ADOPT A NEW CHAPTER
16.08, CALIFORNIA PLUMBING CODE, 2007 EDITION, AND
LOCAL AMENDMENTS

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

SECTION 1. Chapter 16.08 of the Palo Alto Municipal Code is hereby amended by repealing in its entirety Chapter 16.08 and adopting a new Chapter 16.08 to read as follows:

16.08 CALIFORNIA PLUMBING CODE

16.08.010 2007 California Plumbing Code adopted.

The California Plumbing Code, 2007 Edition, Title 24, Part 5 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. One copy of the California Plumbing Code, 2007 edition, has been filed for use and examination of the public in the Office of the Building Official of the City of Palo Alto.

16.08.020 2007 California Plumbing Code Appendix Chapters adopted.

The following Appendix Chapters of the California Plumbing Code, 2007 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 A – Recommended Rules for Sizing the Water Supply System
- B. Appendix I – Installation Standards

16.08.030 Cross - References to California Plumbing Code.

The provisions of this Chapter contain cross-references to the provisions of the California Plumbing Code, 2007 Edition, in order to facilitate reference and comparison to those provisions.

16.08.040 Violations -- Penalties.

Any person, firm or corporation violating any provision of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished as provided in subsection(a) of Section 1.08.010 of this code. Each separate day or any portion thereof during which any violation of this chapter occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as provided in this section.

16.08.050 Enforcement -- Citation authority.

The employee positions designated in this section may enforce the provisions of this chapter by the issuance of citations; persons employed in such positions are authorized to exercise the authority provided in Penal Code section 836.5 and are authorized to issue citations for violations of this chapter. The designated employee positions are: (1) chief building official; (2) assistant building official; (3) building inspection supervisor; and (4) code enforcement officer.

16.04.060 Local Amendments

The provisions of this Chapter shall constitute local amendments to the cross-referenced provisions of the California Plumbing Code, 2007 Edition, and shall be deemed to replace the cross-referenced sections of said Code with the respective provisions set forth in this Chapter.

16.04.070 Section 305.4 added – Sewers Required (Palo Alto Sewer Use Ordinance referenced).

Section 305.4 is added to the California Plumbing Code to read:

305.4 All non-domestic waste shall comply with the City of Palo Alto Sewer Use Ordinance (Palo Alto Municipal Code Chapter 16.09). Where discrepancies exist between the requirements of this code and said ordinance, the provisions of said ordinance shall apply.

16.04.080 Table 6-4 amended- Deletion of Footnote 1.

Footnote 1 to Table 6-4 of the California Plumbing Code is amended to read as follows:

The use of PE-AL-PE and PEX-AL-PEX in potable water supply systems is not adopted for applications under the authority of the City of Palo Alto.

16.04.090 Section 604.11 PEX, and Sub-Sections 604.11.1 PEX Fittings, and 604.11.2 Water Heater Connections adopted.

Section 604.11 PEX, and Sub-Sections 604.11.1 PEX Fittings, and 604.11.2 Water Heater Connections of the California Plumbing Code are adopted by the City of Palo Alto.

16.04.100 Section 605.9 added – Valves (Hose bibs required).

Section 605.9 is added to the California Plumbing Code to read:

605.9 All commercial and industrial buildings whose building face is parallel to the City sidewalk shall have a hose bib connection installed, conveniently available to accommodate persons washing the building face or watering plants.

16.04.110 Section 701.1 amended – Materials.

Section 701.1 of the California Plumbing Code is amended to read:

701.1 Drainage piping shall be cast iron, galvanized steel, galvanized wrought

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iron, Stainless Steel 304 or 316L, Schedule 40 ABS DWV, Schedule 40 PVC DWV, extra-strength vitrified clay pipe, or other approved materials having a smooth and uniform bore, except that:

16.04.120 Section 701.1.4 amended – Materials

Section 701.1.4 of the California Plumbing Code is amended to read:

701.1.4 Copper tube for vent piping shall have a weight of not less than that of copper drainage tube type DWV.

16.04.130 Section 710.1 amended – Drainage of Fixtures Located Below the Next Upstream Manhole or Below the Main Sewer Level

Section 710.1 of the California Plumbing Code is amended to read:

710.1 Drainage piping serving fixtures with flood level rims located below one foot above the elevation of the next upstream manhole cover of the public or private sewer serving such drainage piping shall be protected from backflow of sewage by installing an approved backwater valve. Fixtures above such elevation shall not discharge through the backwater valve except as approved by the local administrative authority. On existing structures, the backwater valve may be installed on the private property sewer lateral upstream of the building's cleanout at the public right of way.

16.04.140 Section 714.4 amended – Damage to Public Sewer or Private Sewage System (Commercial Food Waste Grinders Prohibited)

Section 714.4 of the California Plumbing Code is amended to read:

714.4 The installation of a commercial food waste grinder connecting to a private sewage disposal system is prohibited.

16.04.150 Section 719.7 added – Cleanouts

Section 719.7 is added to the California Plumbing Code to read:

719.7 A cleanout shall be provided at the point of connection between the building sewer and the city lateral and an approved fitting shall be used to bring the cleanout riser to grade. When sewer cleanouts are to be connected to existing city laterals, such connections shall be accomplished by use of an approved fitting.

16.04.160 Section 808.0 amended – Single Pass Cooling Water Systems Prohibited.

Section 808.0 of the California Plumbing Code is amended to read:

808.0 Clean running water used exclusively as a cooling medium in an appliance, device, or apparatus is prohibited.

16.04.170 Section 1014.1.3 amended – Food Waste Disposal Units and Dishwashers.
Section 10.14.1.3 of the California Plumbing Code is amended to read:

1014.1.3 Food Waste Disposal Units and Dishwashers. Unless specifically required or permitted by the Authority Having Jurisdiction, no dishwasher shall be connected to or discharge into any grease interceptor. Commercial Food Waste Disposal Units are prohibited.

16.04.180 Section 1101.3 amended – Storm Drainage, General (Material Uses).
Section 1101.3 of the California Plumbing Code is amended to read:

1101.3 Material Uses. Rainwater piping placed within the interior of a building or run within a vent or shaft shall be of cast iron, galvanized steel, wrought iron, Schedule 40 ABS DWV, Schedule 40 PVC DWV, stainless steel 304 or 316L (stainless steel 304 pipe and fittings shall not be installed underground and shall be kept at least six inches (152 mm) aboveground), or other approved materials, and changes in direction shall conform to the requirements of Section 706.0. ABS and PVC DWV piping installations shall be installed in accordance with IS 5, IS 9, and Chapter 15 “Firestop Protection.” Except for individual single-family dwelling units, materials exposed within ducts or plenums shall have a flame-spread index of not more than 25 and a smoke-developed index of not more than 50, when tested in accordance with the Test for Surface-Burning Characteristics of the Building Materials (see the Building Code standards based on ASTM E-84 and ANSI/UL 723.).

[HCD 1 & HCD 2] ABS or PVC installations are limited to not more than two stories of areas of residential accommodation.

16.04.190 Section 1101.9 amended – Filling Stations and Motor Vehicle Washing Establishments.

Section 1101.9 of the California Plumbing Code is amended to read:

1101.9 Motor Vehicle Washing Establishments. Motor vehicle washing establishments shall have the paved area sloped toward sumps or gratings within the property lines. Curbs not less than six (6) inches (152 mm) high shall be placed where required to direct water to gratings or sumps.

16.04.200 Section 1105.1.2 amended – Roof Drains (Materials).

Section 1105.1.2 of the California Plumbing Code is amended to read:

1105.1.2 Roof drains shall be of cast iron, plastic or other approved material.

SECTION 2. The Council adopts the findings for local amendments to the California Plumbing Code, 2007 Edition, attached hereto as Exhibit “A” and incorporated herein by reference.

NOT YET APPROVED

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 commencement of the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

City Attorney

City Manager

Director of Public Works

Director of Administrative
Services

Exhibit A
FINDINGS FOR LOCAL AMENDMENTS
TO CALIFORNIA PLUMBING CODE

Section 17958 of the California Health and Safety Code provides that the City may make changes to the provisions in the uniform codes that are published in 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 in the uniform codes and published in 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, including amendments made only for administrative consistency, do not require findings.

The findings made by the Council of the City of Palo Alto in Ordinance 3215 adopting the 1979 Uniform Plumbing Code reaffirmed the findings which had been made by prior Council actions in adopting amendments to the Uniform Plumbing Code subsequent to November 23, 1970. Such findings have been reaffirmed with each successive adoption of the Uniform Plumbing Code (California Plumbing Code) as published in the California Building Standards Code, and are hereby reaffirmed and expressly made applicable to all local amendments that are hereby again adopted and carried through without significant change.

16.04.070 Section 305.4 added – Sewers Required (Palo Alto Sewer Use Ordinance referenced)

Finding: This section is amended to conform to other provisions of the Palo Alto Municipal Code and is specifically authorized in Section 305.3 of the California Plumbing Code.

16.04.080 Table 6-4 (Footnote 1) amended; 16.04.090 Section 604.11 PEX, and Sub-Sections 604.11.1 PEX Fittings, and 604.11.2 Water Heater Connections adopted.

Finding: These amendments allow the use of PEX, but not PE-AL-PE or PEX-AL-PEX, piping in potable water supply and distribution systems within buildings. PEX is a recognized material that is a bona-fide alternative to copper and other metallic water piping. The City's Regional Water Quality Control Plant has, for many years, implemented programs to reduce copper and other heavy metal discharges into San Francisco Bay to comply with State Regional Water Quality Control Board requirements. These amendments are consistent with and support the City's efforts to reduce the amount of copper influent to the Plant in accordance with the City's approved Copper Action Plan and NPDES (Discharge) Permit under which the Plant operates.

16.04.110 Section 701.1 amended – Materials; 16.04.120 Section 701.1.4 amended – Materials; 16.04.180 Section 1101.3 amended – Storm Drainage, General (Material Uses); and 16.04.200 Section 1105.1.2 amended – Roof Drains (Materials)

Finding: These amendments prohibit the use of lead, copper and brass piping in sanitary drainage systems within buildings. The City's Regional Water Quality Control Plant has, for many years, implemented programs to reduce copper and other heavy metal discharges into San Francisco Bay to comply with State Regional Water Quality Control Board requirements. These amendments are consistent with and support the City's efforts to reduce the amount of copper and heavy metal influent to the Plant in accordance with the City's approved Copper Action Plan and NPDES (Discharge) Permit under which the Plant operates.

16.04.130 Section 710.1 amended – Drainage of Fixtures Located Below the Next Upstream Manhole or Below the Main Sewer Level; 16.04.140 Section 714.4 amended – Damage to Public Sewer or Private Sewage System (Commercial Food Waste Grinders Prohibited); 16.04.150 Section 719.7 added – Cleanouts; and 16.04.170 Section 1014.1.3 amended – Food Waste Disposal Units and Dishwashers

Finding: These amendments are required by the location of the City of Palo Alto between the Santa Cruz Mountain foothills and the San Francisco Bay, and the presence of several substantial creeks flowing through highly developed residential, urban and industrial areas. The City operates its own sanitary sewer collection system and Regional Water Quality Control Plant and is subject to State and Federal laws regarding both point and non-point source discharges. These amendments are intended to comply with State Water Resources Control Board requirements to minimize sanitary sewer overflows caused by blockages in the sewer system and protect the various creeks, the San Francisco Bay and Palo Alto residents from unnecessary sewage spills and threats to public health.

16.04.160 Section 808.0 amended – Single Pass Cooling Water Systems Prohibited

Finding: This amendment promotes water conservation by prohibiting potable water from being used solely for the purpose of cooling appliances and other mechanical systems. This amendment is necessitated by local climatic conditions rendering potable water as a scarce and valuable resource.

16.04.190 Section 1101.9 amended – Filling Stations and Motor Vehicle Washing Establishments

Finding: This amendment prohibits the paved areas of public filling stations from draining towards sumps and gratings that could otherwise be connected to the sanitary sewer system, which, in addition to polluting the sanitary sewer, could cause explosions or other hazardous events. The amendment is consistent with Best Management Practices contained within the City's Storm Water Pollution Prevention Plan as well as statewide best practice guidelines for the proper design of motor vehicle fueling stations.