

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYVALE TO AMEND VARIOUS
SECTIONS OF TITLE 16 (BUILDINGS AND
CONSTRUCTION) OF THE SUNNYVALE MUNICIPAL
CODE TO ADOPT BY REFERENCE THE 2025
CALIFORNIA BUILDING CODE, RESIDENTIAL CODE,
MECHANICAL CODE, PLUMBING CODE,
ELECTRICAL CODE, BUILDING STANDARDS
ADMINISTRATIVE CODE, ENERGY CODE,
HISTORICAL BUILDING CODE, EXISTING BUILDING
CODE, WILDLAND-URBAN INTERFACE CODE, AND
GREEN BUILDING STANDARDS CODE, AND THE 2024
INTERNATIONAL PROPERTY MAINTENANCE CODE,
WITH LOCAL AMENDMENTS AND RELATED
FINDINGS**

WHEREAS, the California Building Standards Commission ("CBSC") is responsible for administering the implementation of the California building codes, which includes the proposal, review, and adoption processes; and

WHEREAS, the building codes are contained in the California Code of Regulations, Title 24; and

WHEREAS, since 1989, the CBSC has published triennial editions of these codes; and

WHEREAS, in January 2025, the State of California adopted the 2025 California Building Codes and published the documents on July 1, 2025.

WHEREAS, all local jurisdictions are required to adopt these codes with appropriate amendments by January 1, 2026, or be mandated to accept by default the version adopted by the State; and

WHEREAS, the City of Sunnyvale desires to amend the following codes adopted by the State of California for implementation on January 1, 2026:

- 2025 California Building Code (based on the 2024 International Building Code)
- 2025 California Residential Code (based on the 2024 International Residential Code)
- 2025 California Mechanical Code (based on the 2024 Uniform Mechanical Code)
- 2025 California Plumbing Code (based on the 2024 Uniform Plumbing Code)
- 2025 California Wildland-Urban Interface Code (based on the 2024 International Wildland-Urban Interface Code)
- 2025 California Electrical Code (based on the 2023 National Electrical Code)
- 2025 California Building Standards Administrative Code

- 2025 California Energy Code
- 2025 California Historical Building Code
- 2025 California Existing Building Code (based on the 2024 International Existing Building Code)
- 2025 California Green Building Standards Code
- 2024 International Property Maintenance Code

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

SECTION 1. Section 16.08.020 AMENDED. Section 16.08.020 of Chapter 16.08 (Administrative Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.08.020. Adoption by reference.

The “~~2022~~ 2025 California Administrative Code” adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 1 is hereby adopted by reference as the administrative code for all California codes adopted by the city of Sunnyvale.

SECTION 2. Section 16.16.020 AMENDED. Section 16.16.020 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.16.020. Adoption by reference.

The ~~2021~~ 2024 International Building Code in its entirety, along with Appendices C, I, and J as published by the International Code Council, Inc. and amendments to sections of the ~~2021~~ 2024 International Building Code adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 2, known as the ~~2022~~ 2025 California Building Code, is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the building code of the city of Sunnyvale.

SECTION 3. Section 16.16.030 REPEALED AND REPLACED. Section 16.16.030 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.16.030 to read as follows:

16.16.030. Administration.

2025 California Building Code, Chapter 1, Division II, is hereby amended as follows:

101.2 Scope.

~~The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.~~

~~Exception: Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the *California Residential Code*.~~

The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, or parts thereof, within and serving such building or structure, excluding therefrom the following:

- (1) Any building or structure located on real property belonging to:
 - (A) United States of America,
 - (B) State of California, or any political subdivision thereof,
 - (C) Any chartered city or non-chartered city, or
 - (D) Any school district, except when the proposed use is for non-classroom facilities;
- (2) Work located primarily in a public way;
- (3) Public utility towers and poles;
- (4) Mechanical equipment not specifically regulated in any of the codes;
and
- (5) Hydraulic flood control structures.
- (6) Detached one- and two-family dwellings and multiple single-family dwellings (townhouse units) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with this code or the California Residential Code.

105.3.2 Time Limitation of Application. ~~An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The~~

~~extension shall be requested in writing and justifiable cause demonstrated.~~
[OSHDP 1, 1R, 2, 4 & 5] Time limitation shall be in accordance with the California Administrative Code, Chapter 7, Section 7-129.

An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, the plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to grant one or more extensions of time for an additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. In order to proceed with a project once an application has expired, a new application is required with new plan reviews fees and plans based on the code in effect at the time of the new application.

105.5 Permit Expiration. ~~Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.~~

(1) On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(2) If a permit has expired, no work may be recommenced until a new permit is obtained. The fee for a new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that the period of suspension or abandonment was not in excess of one year, in which case the permittee shall pay a new, full permit fee and plan review fee.

(3) Any permittee holding an unexpired permit may apply for an extension of the time within which to commence or complete work under the permit. Such requests must be submitted in writing. The building official is authorized to grant one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing, and justifiable cause shall be demonstrated.

105.7 Placement of Permit. ~~The building permit or copy shall be kept on~~

~~the site of the work until the completion of the project.~~

The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

107.5 Retention of Construction Documents. ~~One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be retained by the building official for the life of the building from the date of completion of the permitted work, or as referenced in the Health and Safety Code Sections 19850 and 19851.~~

109.2. Schedule of Permit Fees. ~~Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. On buildings, structures, electrical, gas, mechanical, and plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required by the current fee resolution approved by the city council.~~

109.4. Work Commencing Before Permit Issuance. ~~Any person who commences any work before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the fee for such permit shall be double the fee established by the current fee resolution approved by the city council.~~

109.4.1. Investigation Fees: Work Without a Permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit a special investigation may be made before a permit may be issued for such work.

109.4.2. Fee. An investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

109.6. Refunds. ~~The building official is authorized to establish a refund policy. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.~~

The building official may authorize refunding of not more than 80 percent of the permit fee paid when the permit is canceled and no work has been done under a permit issued in accordance with this section.

The building official may authorize refunding of the plan review fee paid with an application for a permit for which a plan review fee has been paid is

withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except by written request filed by the original permittee and for building permits that are not expired.

109.7. Plan Review Fees. When a plan review is required a plan checking fee shall be paid at the time of submitting plans and specifications for checking.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at rate established in the current fee resolution adopted by the city council.

110.3.10. Other Inspections. In addition to the inspections specified in Sections 110.3.1 through 110.3.9, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety. In addition to the inspections specified above the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

110.7. Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

110.8. Reinspections. A reinspection fee may be assessed as deemed necessary by the building official for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection records card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is required, or for deviating from plans requiring the approval of the building official.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required reinspection fees have been paid.

The reinspection fee shall be in accordance with the current fee resolution adopted by the city council.

111.2 Certificate Issued.

~~After the building official inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department, the building official shall issue a certificate of occupancy that contains the following:~~

- ~~1. The permit number.~~
- ~~2. The address of the structure.~~
- ~~3. The name and address of the owner or the owner's authorized agent.~~
- ~~4. A description of that portion of the structure for which the certificate is issued.~~
- ~~5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.~~
- ~~6. The name of the building official.~~
- ~~7. The edition of the code under which the permit was issued.~~
- ~~8. The use and occupancy, in accordance with the provisions of Chapter 3.~~
- ~~9. The type of construction as defined in Chapter 6.~~
- ~~10. The design occupant load.~~
- ~~11. Where an automatic sprinkler system is provided, whether the sprinkler system is required.~~
- ~~12. Any special stipulations and conditions of the building permit.~~

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building safety division, the building official shall either sign the approved inspection record card or issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structures.
3. A description of that portion of the structure for which the certificate is issued.
4. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
5. The name of the building official.
6. The edition of the code under which the permit was issued.
7. The use and occupancy, in accordance with the provisions of Chapter 3.
8. The type of construction as defined in Chapter 6.
9. If an automatic sprinkler system is provided, whether the sprinkler system is required.
10. Any special stipulations and conditions of the building permit.

114.1. Unlawful Acts. ~~It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. It shall be unlawful for any person, firm, or corporation to perform any grading, or to relocate, replace, erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or to install or maintain any plumbing or drainage systems, or any mechanical systems, or any electrical wiring or fire safety systems in or about any building or structure or any appurtenances connected or attached to such buildings or structures in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the administrative or technical code. Each such person is guilty of a separate offense for each and every day during any portion of which a violation of any provision of any codes continued, or permitted by such person and shall be punishable accordingly.~~

SECTION 4. Section 16.16.040 REPEALED AND REPLACED. Section 16.16.040 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.16.040 to read as follows:

16.16.040. Definitions.

California Building Code Chapter 2 is hereby amended to include:

For the purpose of the California Building Code, certain terms are defined as follows:

"Board of appeals" means the board created to hear and determine appeals from a decision or order of the chief building official. The city council shall serve as the board of appeals.

"Chief building official" means the officer or other person charged with the administration and enforcement of the following codes of the city:

- (A) Building Code,
- (B) Residential Code,
- (C) Existing Building Code,
- (D) Plumbing Code,
- (E) Mechanical Code,
- (F) Electrical Code,
- (G) Historical Buildings Code,
- (H) Energy Code,
- (I) Green Building Code.

(J) Wildland-Urban Interface Code

"Building official" or "chief building official" means building inspection superintendent.

"The codes" mean each and all of the following codes of the city:

- (A) Building Code,
- (B) Residential Code,
- (C) Existing Building Code,
- (D) Plumbing Code,
- (E) Mechanical Code,
- (F) Electrical Code,
- (G) Historical Buildings Code,
- (H) Fire Code,
- (I) Energy Code,
- (J) Green Building Code,
- (K) Property Maintenance Code,
- (L) Wildland-Urban Interface Code

"New constructed building" means a building that has never been used or occupied for any purpose. It shall also include newly constructed additions and improvements in existing buildings where more than 50 percent of the exterior wall is modified. The Chief Building Official shall make the final determination regarding the application of this definition.

SECTION 5. Section 16.16.050 DELETED. Section 16.16.050 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 6. Section 16.16.060 REPEALED AND REPLACED. Section 16.16.060 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.16.060 to read as follows:

16.16.060 Address Identification.

2025 California Building Code Section 502 is hereby amended as follows:

502 Building Address.

502.1. Address Identification. ~~New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background.~~

~~Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of $\frac{1}{2}$ inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address identification shall be maintained.~~

All entrances from the public streets of the city of Sunnyvale to buildings fronting thereon shall be numbered as provided in this chapter.

The numbers shall be placed upon, or immediately above or to one side of the door or gate or post of such entrance or shall be otherwise conspicuously located near said entrance so that the same shall be in plain view. Each character shall be a minimum 4 inches high and not less than 0.5 inch in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property.

Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.

When required by the building official or fire marshal, address numbers and street names shall be provided in additional approved locations to facilitate emergency response.

502.2. Odd and even numbers. Where possible all numbers on the northerly and westerly sides of streets shall be odd numbers and all numbers on the southerly and easterly sides of streets shall be even numbers.

502.3. Numbers designated by chief building official. It shall be the duty of the chief building official to designate the respective numbers for buildings or parcels of land fronting on streets heretofore laid out or extended.

502.4. Display of numbers required. No owner, occupant, lessee, tenant or subtenant of any building having an entrance which fronts on a public street shall display any number of such building or entrance thereto other than the proper number designated by the chief building official and shall within five days after receiving notice of such designated number from the chief building official place the same upon or immediately above or to one side of the door, gate, post or entrance to such building or in some other conspicuous location as provided in this chapter.

502.5. Placing of numbers at occupant's expense. It shall be the responsibility of both the owner and occupant of any building, at his expense, to cause the same to be numbered in accordance with this chapter.

502.6. Permit required for numbers on streets, sidewalks or curb. No person shall place, maintain or permit to be placed or maintained any number,

figure, letter, carving, drawing, design or other marking upon any street, sidewalk, parking place or curb in the city without first obtaining written authorization from the director of public works who shall have the authority to issue regulations and standards for such activity. The following requirements and conditions shall apply to all requests to conduct the service of curb identification marking:

(a) No person shall engage in the business of painting numbers or other markings on curbs, which markings identify the street location of any structure within the city, without first obtaining a business license.

(b) Written consent and approval of the owner or occupant of the structure shall be obtained, prior to commencing any work, on forms which shall be approved by the director of public works.

(c) Markings shall be three and one-half inches to four inches in height of high gloss black enamel paint on a white background or of such dimensions, color and quality of materials as shall be approved by the director of public works.

(d) The authorization provided for herein may be revoked by the director of public works whenever he finds noncompliance with the provisions of this chapter or any regulation or standards promulgated by him pursuant to the authority granted herein.

SECTION 7. Section 16.16.065 REPEALED AND REPLACED. Section 16.16.065 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.16.065 to read as follows:

16.16.065. Fire-resistant penetrations and joints.

2025 California Building Code Section 1705.18 is hereby amended to read:

CBC 1705.18 Fire-resistant penetrations and joints. ~~In high-rise buildings, in buildings assigned to Risk Category III or IV, or in fire areas containing Group R occupancies with an occupant load greater than 250, special inspections for through-penetrations, membrane penetration firestops, fire-resistant joint systems and perimeter fire containment systems that are tested and listed in accordance with Sections 714.4.1.2, 714.5.1.2, 715.3.1 and 715.4 shall be in accordance with Section 1705.18.1 or 1705.18.2.~~ In high-rise buildings, in buildings assigned to Risk Category III or IV, or in fire areas containing Group R occupancies with an occupant load greater than 100, and other occupancies as determined necessary special inspections for through-penetrations, membrane penetration firestops, fire resistant joint systems and perimeter fire containment systems that are tested and listed in accordance with Sections 714.4.1.2, 714.5.1.2, 715.3.1 and 715.4 shall be in accordance with Section 1705.18.1 or 1705.18.2.

SECTION 8. Section 16.16.070 AMENDED. Section 16.16.070 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.16.070. Fire extinguishing systems.

Except for the application of Sections 504.2 and 506.3 of the 202~~52~~ California Building Code, the installation requirements for fire extinguishing systems, including 202~~52~~ California Building Code Section 903, shall be governed by the applicable provisions of the ~~20252022~~ California Fire Code as adopted by Section 16.52.903 of Chapter 16.52.

SECTION 9. Section 16.16.080 AMENDED. Section 16.16.080 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.16.080. Fire protection systems.

202~~52~~ California Building Code Chapter 9 is hereby replaced by the applicable provisions of California Fire Code Section 903 and Sunnyvale Municipal Code Chapter 16.52.

SECTION 10. Section 16.16.090 REPEALED AND REPLACED. Section 16.16.090 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.16.090 to read as follows:

16.16.090. Roof material rating.

2025 California Building Code Section 1505.1.2 is amended to read as follows:

1505.1.2 Roof coverings within all other areas other than Fire Hazard Severity Zones or in the Wildland-Urban Interface (WUI).

The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class BC fire classification.

SECTION 11. Section 16.16.100 REPEALED AND REPLACED. Section 16.16.100 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.16.100 to read as follows:

16.16.100. Concrete construction.

2025 California Building Code Section 1705.3 is hereby amended to read:

1705.3 Concrete Construction.

Special inspections and tests of concrete construction shall be performed in accordance with this section and Table 1705.3.

Exceptions: Special inspections and tests shall not be required for: [OSHPD 1R, 2 & 5] *Exceptions 1 through 4 are not permitted by OSHPD.*

~~1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock.~~

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock where the structural design of the footing is based on specified compressive strength f'_c , not more than 2,500 pounds per square inch (psi) (17.2 MPa), regardless of the compressive strength of the construction documents or used in the footing construction.

2. Continuous concrete footings supporting walls of buildings three stories or less above grade plane that are fully supported on earth or rock where:

2.1. The footings support walls of light-frame construction.

2.2. The footings are designed in accordance with Table 1809.7.

2.3. The structural design of the footing is based on a specified compressive strength, f'_c , not more than 2,500 pounds per square inch (psi) (17.2 MPa), regardless of the compressive strength specified in the approved construction documents or used in the footing construction.

3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi (1.03 MPa).

4. Concrete foundation walls constructed in accordance with Table 1807.1.6.2.

5. Concrete patios, driveways and sidewalks, on grade.

SECTION 12. Section 16.16.110 DELETED. Section 16.16.110 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 13. Section 16.16.120 REPEALED AND REPLACED. Section 16.16.120 of Chapter 16.16 (Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.16.120 to read as follows:

16.16.120. Wall bracing methods.

2025 California Building Code Table 2308.10.3(1) (Bracing Method) of CBC Chapter 23 (Wood) is amended as follows:

(1) The title of Table 2308.10.3(1) is amended to read:

TABLE 2308.10.3(1)^{b, c}

(2) Footnotes "^bf" and "^cg" are added to Table 2308.10.3(1), to read:

^bf. Methods PBS, HPS, AND SFB are not permitted in Seismic Design Categories D or E.

^cg. Methods GB, DWB, AND PCP are not permitted in Seismic Design Category E.

SECTION 14. Section 16.17.020 AMENDED. Section 16.17.020 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.17.020. Adoption by reference.

The 202~~41~~ International Residential Code in its entirety, as published by the International Code Council, Inc. and amendments to sections of the 202~~41~~ International Residential Code adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 2.5, known as the 202~~52~~ California Residential Code, is hereby adopted by reference, along with 2025 California Residential Code Appendices ~~AH, AK, AV, and AXAA~~, BF, BG, and CI with changes and modifications as hereinafter set forth, as the residential code of the city of Sunnyvale.

SECTION 15. Section 16.17.030 REPEALED AND REPLACED. Section 16.17.030 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.17.030 to read as follows:

16.17.030. Administration.

2025 California Residential Code Chapter 1 Division II is hereby amended as follows:

R101.2 Scope. ~~The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.~~

The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolitions of every

building or structure or any appurtenances connected or attached to such buildings or structures within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, or parts thereof, within and serving such building or structure, excluding therefrom the following:

- (1) Any building or structure located on real property belonging to:
 - (A) United States of America,
 - (B) State of California, or any political subdivision thereof,
 - (C) Any chartered city or non-chartered city, or
 - (D) Any school district, except when the proposed use is for non-classroom facilities;
- (2) Work located primarily in a public way;
- (3) Public utility towers and poles;
- (4) Mechanical equipment not specifically regulated in any of the codes; and
- (5) Hydraulic flood control structures.

Exception: The following shall be permitted to be constructed in accordance with this code where provided with an automatic sprinkler system complying with Section R309:

1. Live/work units located in townhouses and complying with the requirements of Section 508.5 of the *California Building Code*.
2. Owner-occupied lodging houses with five or fewer guestrooms.
3. A care facility with five or fewer persons receiving custodial care within a dwelling unit.
4. A care facility with five or fewer persons receiving medical care within a dwelling unit.
5. A day care facility for five or fewer persons of any age receiving care within a dwelling unit.

R105.3.2 Time Limitation of Application. ~~An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.~~ An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, the plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to grant one or more extensions of time for an additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. In order to proceed with a project once an application has expired, a new application is required with new plan reviews fees and plans based on the code in effect at the time of the new application.

R105.5 Expiration. ~~Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.~~

(1) On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(2) If a permit has expired, no work may be recommenced until a new permit is obtained. The fee for a new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that the period of suspension or abandonment was not in excess of one year, in which case the permittee shall pay a new, full permit fee and plan review fee.

(3) Any permittee holding an unexpired permit may apply for an extension of the time within which to commence or complete work under the permit. Such requests must be submitted in writing. The building official is authorized to grant one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing, and justifiable cause shall be demonstrated.

Note: Reference Building Standards Law, Health and Safety Code Sections 18938.5 and 18938.6, for provisions related to expiration of permits.

R105.7 Placement of Permit. ~~The building permit or a copy shall be kept on the site of the work until the completion of the project. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.~~

R106.5 Retention of Construction Documents. ~~One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be retained by the building official for the life of the building from the date of completion of the permitted work, or as referenced in the Health and Safety Code Sections 19850 and 19851.~~

R108.2 Schedule of Permit Fees. ~~On buildings, structures, electrical, gas,~~

~~mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. On buildings, structures, electrical, gas, mechanical, and plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required by the current fee resolution approved by the city council.~~

R108.5 Refunds. ~~The building official is authorized to establish a refund policy. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the permit fee paid when the permit is canceled and no work has been done under a permit issued in accordance with this section. The building official may authorize refunding of the plan review fee paid with an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except by written request filed by the original permittee and for building permits that are not expired.~~

R108.6 Work commencing before permit issuance. ~~Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority that shall be in addition to the required permit fees. Whenever any work for which this code requires a permit has been commenced without first obtaining said permit, the fee for such permit shall be double the fee established by the current fee resolution approved by the city council.~~

R108.6.1. Investigation Fees: Work Without a Permit. ~~Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit a special investigation may be made before a permit may be issued for such work.~~

R108.6.2. Fee. ~~An investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.~~

R108.7 Plan Review Fees. ~~When a plan review is required a plan checking fee shall be paid at the time of submitting plans and specifications for checking. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at rate established in the current fee resolution adopted by the city council.~~

R109.1.5 Other inspections. ~~In addition to inspections in Sections R109.1.1 through R109.1.4.2, the building official shall have the authority to make or require any other inspections to ascertain compliance with this code and other~~

~~laws enforced by the building official. In addition to the inspections specified above the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.~~

R109.5 Inspection Record Card. ~~Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.~~

R109.6 Reinspections. ~~A reinspection fee may be assessed as deemed necessary by the building official for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.~~

~~This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.~~

~~Reinspection fees may be assessed when the inspection records card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is required, or for deviating from plans requiring the approval of the building official.~~

~~In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required reinspection fees have been paid.~~

~~The reinspection fee shall be in accordance with the current fee resolution adopted by the city council.~~

R110.2 Certificate issued. Certificate Issued. ~~After the building official inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department, the building official shall issue a certificate of occupancy containing the following:~~

- ~~1. The permit number.~~
- ~~2. The address of the structure.~~
- ~~3. The name and address of the owner or the owner's authorized agent.~~
- ~~4. A description of that portion of the structure for which the certificate is issued.~~
- ~~5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.~~
- ~~6. The name of the building official.~~
- ~~7. The edition of the code under which the permit was issued.~~
- ~~8. Where an automatic sprinkler system is provided and whether the sprinkler system is required.~~

9. ~~Any special stipulations and conditions of the building permit.~~

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that the building safety division enforces, the building official shall either sign the approved inspection record card or issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structures.
3. A description of that portion of the structure for which the certificate is issued.
4. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
5. The name of the building official.
6. The edition of the code under which the permit was issued.
7. The use and occupancy, in accordance with the provisions of Chapter 3.
8. The type of construction as defined in Chapter 6.
9. If an automatic sprinkler system is provided, whether the sprinkler system is required.
10. Any special stipulations and conditions of the building permit.

R113.1 Unlawful acts. ~~It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. It is unlawful for any person, firm, or corporation to perform any grading, or to relocate, replace, erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or to install or maintain any plumbing or drainage systems, or any mechanical systems, or any electrical wiring or fire safety systems in or about any building or structure or any appurtenances connected or attached to such buildings or structures in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the administrative or technical code. Each such person is guilty of a separate offense for each and every day during any portion of which a violation of any provision of any codes continued, or permitted by such person and shall be punishable accordingly.~~

Section R308 – Site address Address Identification

R308.1 - Address Identification. ~~Buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) in height with a~~

~~stroke width of not less than 0.5 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.~~

All entrances from the public streets of the city of Sunnyvale to buildings fronting thereon shall be numbered as provided in this chapter.

The numbers shall be placed upon, or immediately above or to one side of the door or gate or post of such entrance or shall be otherwise conspicuously located near said entrance so that the same shall be in plain view. Each character shall be a minimum 4 inches high and not less than 0.5 inch in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property.

Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.

When required by the building official or fire marshal, address numbers and street names shall be provided in additional approved locations to facilitate emergency response.

R308.2 Odd and even numbers. Where possible all numbers on the northerly and westerly sides of streets shall be odd numbers and all numbers on the southerly and easterly sides of streets shall be even numbers.

R308.3 Numbers designated by chief building official. It shall be the duty of the chief building official to designate the respective numbers for buildings or parcels of land fronting on streets heretofore laid out or extended.

R308.4 Display of numbers required. No owner, occupant, lessee, tenant or subtenant of any building having an entrance which fronts on a public street shall display any number of such building or entrance thereto other than the proper number designated by the chief building official and shall within five days after receiving notice of such designated number from the chief building official place the same upon or immediately above or to one side of the door, gate, post or entrance to such building or in some other conspicuous location as provided in this chapter.

R308.5 Placing of numbers at occupant's expense. It shall be the responsibility of both the owner and occupant of any building, at his expense, to cause the same to be numbered in accordance with this chapter.

R308.6 Permit required for numbers on streets, sidewalks or curb. No person shall place, maintain or permit to be placed or maintained any number, figure, letter, carving, drawing, design or other marking upon any street,

sidewalk, parking place or curb in the city without first obtaining written authorization from the director of public works who shall have the authority to issue regulations and standards for such activity. The following requirements and conditions shall apply to all requests to conduct the service of curb identification marking:

(a) No person shall engage in the business of painting numbers or other markings on curbs, which markings identify the street location of any structure within the city, without first obtaining a business license.

(b) Written consent and approval of the owner or occupant of the structure shall be obtained, prior to commencing any work, on forms which shall be approved by the director of public works.

(c) Markings shall be three and one-half inches to four inches in height of high gloss black enamel paint on a white background or of such dimensions, color and quality of materials as shall be approved by the director of public works.

(d) The authorization provided for herein may be revoked by the director of public works whenever he finds noncompliance with the provisions of this chapter or any regulation or standards promulgated by him pursuant to the authority granted herein.

SECTION 16. Section 16.17.040 REPEALED AND REPLACED. Section 16.17.040 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.17.040 to read as follows:

16.17.040. Definitions

2025 California Residential Code Chapter 2 is hereby amended to add the following certain terms defined as follows:

"Board of appeals" means the board created to hear and determine appeals from a decision or order of the chief building official. The city council shall serve as the board of appeals.

"Chief building official" means the officer or other person charged with the administration and enforcement of the following codes of the city:

- (A) Building Code,
- (B) Residential Code,
- (C) Existing Building Code,
- (D) Plumbing Code,
- (E) Mechanical Code,
- (F) Electrical Code,
- (G) Historical Buildings Code,
- (H) Energy Code,
- (I) Green Building Code.

(J) Wildland-Urban Interface Code

"Building official" or "chief building official" means building inspection superintendent.

"The codes" mean each and all of the following codes of the city:

- (A) Building Code,
- (B) Residential Code,
- (C) Existing Building Code,
- (D) Plumbing Code,
- (E) Mechanical Code,
- (F) Electrical Code,
- (G) Historical Buildings Code,
- (H) Fire Code,
- (I) Energy Code,
- (J) Green Building Code,
- (K) Property Maintenance Code,
- (L) Wildland-Urban Interface Code

"New constructed building" means a building that has never been used or occupied for any purpose. It shall also include newly constructed additions and improvements in existing buildings where more than 50 percent of the exterior wall is modified. The Chief Building Official shall make the final determination regarding the application of this definition.

"Townhouse unit." A single-family dwelling unit on an individual lot constructed in a group of three or more attached units in which each extends from foundation to roof and with a yard or public way on at least two sides.

"Habitable space." A space in a building for living, sleeping, eating or cooking including bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas.

SECTION 17. Section 16.17.050 DELETED. Section 16.17.050 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 18. Section 16.17.060 REPEALED AND REPLACED. Section 16.17.060 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.17.060 to read as follows:

16.17.060. Townhouse units.

2025 California Residential Code Section R302.2 is hereby amended as follows:

R302.2 Townhouse Units.

Walls separating townhouse units shall be constructed in accordance with Section R302.2.1 ~~or R302.2.2~~ and shall comply with Sections R302.2.3 through R302.2.5.

SECTION 19. Section 16.17.080 REPEALED AND REPLACED. Section 16.17.080 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.17.080 to read as follows:

- (a) 2025 California Residential Code Sections R309.1, R309.2, R309.2.1 and R309.3 are hereby amended to read as follows:

R309.1 Townhouse unit automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in ~~townhouses~~ townhouse units.

Exception: ~~An automatic sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic sprinkler system installed.~~

Existing Townhouse Units. An automatic residential fire sprinkler system shall be installed in existing townhouse units when additions or conversions from non-habitable to habitable spaces are made that are in excess of 50 percent of the habitable building area.

Firewalls used to separate building areas shall be constructed in accordance with the 2025 California Building Code and shall be without openings or penetrations.

Exception: A one-time addition to existing townhouse units that do not exceed 500 square feet of building area.

R309.1.1 Design and Installation. Automatic residential fire sprinkler systems for ~~townhouses~~ townhouse units shall be designed and installed in accordance with ~~Section R309 or NFPA 13D~~ and local standards.

R309.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings.

Existing one- and two-family dwellings. An automatic residential fire sprinkler system shall be installed in existing one and two-family dwellings when additions or conversions from non-habitable to habitable spaces are made that are in excess of 50 percent of the habitable building area.

Firewalls used to separate building areas shall be constructed in accordance with the 2025 California Building Code and shall be without openings or penetrations.

Exception:

~~1. An automatic sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with a sprinkler system.~~

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

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

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

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

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

R309.2 Design and Installation. Automatic residential fire sprinkler systems for one- and two-family dwellings shall be designed and installed in accordance with NFPA 13D ~~or NFPA 13D~~ and local standards.

(b) 2025 California Residential Code Section R309.3 is hereby deleted in its entirety.

SECTION 20. Section 16.17.090 DELETED. Section 16.17.090 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 21. Section 16.17.095 DELETED. Section 16.17.095 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 22. Section 16.17.100 REPEALED AND REPLACED. Section 16.17.100 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.17.100 to read as follows:

16.17.100. Lath, gypsum board and plaster as wall bracing materials.

2025 California Residential Code Table R602.10.3(3) (Bracing Requirements Based On Seismic Design Category) of CRC Chapter 6 (Wall Construction) is amended as follows:

[Refer to 2025 California Residential Code for Table R602.10.3(3)]

Table R602.10.3(3) ⁱⁱ – Bracing Requirements Based on Seismic Design
Category [Text of Table unchanged]

...

Footnotes:

a-h. [Text of 2025 Residential Code unchanged]

i. Methods PBS, HPS, SFB and CS-SFB are not permitted in Seismic Design Categories D₀, D₁, and D₂.

j. Methods GB, DWB and PCP are not permitted in Seismic Design Categories D₀, D₁, and D₂ where S₁ is greater than or equal to 0.75.

SECTION 23. Section 16.17.110 REPEALED AND REPLACED. Section 16.17.110 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.17.110 to read as follows:

16.17.110. Roof material rating.

2025 California Residential Code R902.1.2 is hereby amended as follows:

R902.1.2 Roof coverings in all other areas other than Fire Hazard Severity Zones or a Wildland-Urban Interface (WUI) area.

The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B fire classification.

SECTION 24. Section 16.17.120 REPEALED AND REPLACED. Section 16.17.120 of Chapter 16.17 (Residential Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.17.120 to read as follows:

16.17.120. Swimming pools, spas and hot tubs.

2025 California Residential Code Chapter 3 is amended to add as follows:

R341. Title. SWIMMING POOLS, SPAS, AND HOT TUBS

R341.1 General. The design and construction of swimming pools, spas,

and hot tubs shall comply with the 2024 International Swimming Pool and Spa Code and 2025 California Residential Code Appendix CI.

SECTION 25. Section 16.18.020 AMENDED. Section 16.18.020 of Chapter 16.18 (Existing Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.18.020. Adoption by reference.

The 2024 International Existing Building Code in its entirety as published by the International Code Council, Inc. and amendments to sections of the 2024 International Existing Building Code ~~“2022 California Existing Building Code”~~ adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 10, known as the 2025 California Existing Building Code, is hereby adopted by reference with changes and modification as hereinafter set forth, as the existing building code of the city of Sunnyvale.

SECTION 26. Section 16.18.030 REPEALED AND REPLACED. Section 16.18.030 of Chapter 16.18 (Existing Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.18.030 to read as follows:

16.18.030 Administration.

2025 California Existing Building Code Chapter 1 Division II is hereby amended as follows:

101.2 Scope. ~~The provisions of this code shall apply to the repair, alteration, change of occupancy, addition to and relocation of existing buildings. The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolitions of every building or structure or any appurtenances connected or attached to such buildings or structures within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, or parts thereof, within and serving such building or structure, excluding therefrom the following:~~

- (1) Any building or structure located on real property belonging to:
 - (A) United States of America,
 - (B) State of California, or any political subdivision thereof,
 - (C) Any chartered city or non-chartered city, or
 - (D) Any school district, except when the proposed use is for non-classroom facilities;
- (2) Work located primarily in a public way;
- (3) Public utility towers and poles;

- (4) Mechanical equipment not specifically regulated in any of the codes;
and
- (5) Hydraulic flood control structures.
- (6) Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the *California Residential Code*.

~~104.2.4.1 Flood hazard areas.~~

~~104.3.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas.~~

~~105.3.2 Time Limitation of Application.~~ ~~An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated. An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, the plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to grant one or more extensions of time for an additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. In order to proceed with a project once an application has expired, a new application is required with new plan reviews fees and plans based on the code in effect at the time of the new application.~~

~~105.5 Expiration.~~ ~~Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The code official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.~~

(1) On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(2) If a permit has expired, no work may be recommenced until a new permit is obtained. The fee for a new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be

made in the original plans and specifications for such work, and provided further that the period of suspension or abandonment was not in excess of one year, in which case the permittee shall pay a new, full permit fee and plan review fee.

(3) Any permittee holding an unexpired permit may apply for an extension of the time within which to commence or complete work under the permit. Such requests must be submitted in writing. The building official is authorized to grant one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing, and justifiable cause shall be demonstrated.

Note: Reference Building Standards Law, Health and Safety Code Sections 18938.5 and 18938.6, for provisions related to expiration of permits.

105.5.1 Expiration.

~~On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (See Health and Safety Code Section 18938.5 and 18938.6).~~

105.7 Placement of Permit. ~~The building permit or copy shall be kept on the site of the work until the completion of the project. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.~~

106.5 Retention of Construction Documents. ~~One set of approved construction documents shall be retained by the code official for a period of not less than the period required for retention of public records. One set of approved construction documents shall be retained by the building official for the life of the building from the date of completion of the permitted work, or as referenced in the Health and Safety Code Sections 19850 and 19851.~~

108.2 Schedule of Permit Fees. ~~Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. On buildings, structures, electrical, gas, mechanical, and plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required by the current fee resolution approved by the city council.~~

108.4 Work commencing before permit issuance. ~~Any person who commences any work before obtaining the necessary permits shall be subject to a fee established by the code official that shall be in addition to the required permit fees. Whenever any work for which this code requires a permit has been commenced without first obtaining said permit, the fee for such permit shall be~~

double the fee established by the current fee resolution approved by the city council.

108.4.1. Investigation Fees: Work Without a Permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit a special investigation may be made before a permit may be issued for such work.

108.4.2. Fee. An investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

108.6 Refunds. ~~The code official is authorized to establish a refund policy.~~ The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the permit fee paid when the permit is canceled and no work has been done under a permit issued in accordance with this section. The building official may authorize refunding of the plan review fee paid with an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except by written request filed by the original permittee and for building permits that are not expired.

108.7 Plan Review Fees. When a plan review is required a plan checking fee shall be paid at the time of submitting plans and specifications for checking. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at rate established in the current fee resolution adopted by the city council.

109.3.8 Other inspections. ~~In addition to the inspections specified in Sections 109.2 through 109.3.7, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.~~

~~• Note: All noncompliant plumbing fixtures in any residential real property shall be replaced with water conserving plumbing fixtures. Plumbing fixture replacement is required prior to issuance of a certificate of final completion, certificate of occupancy or final permit approval by the local building department. See Civil Code Section 1101.1, et seq., for the definition of a noncompliant plumbing fixture, types of residential buildings affected and other important enactment dates.~~

In addition to the inspections specified above the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code

enforcement agency.

109.7 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

109.8 Reinspections. A reinspection fee may be assessed as deemed necessary by the building official for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection records card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is required, or for deviating from plans requiring the approval of the building official.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required reinspection fees have been paid.

The reinspection fee shall be in accordance with the current fee resolution adopted by the city council.

110.2 Certificate issued.

~~After the code official inspects the structure and does not find violations of the provisions of this code or other laws that are enforced by the department, the code official shall issue a certificate of occupancy that contains the following:~~

- ~~1. The permit number.~~
- ~~2. The address of the structure.~~
- ~~3. The name and address of the owner or the owner's authorized agent.~~
- ~~4. A description of that portion of the structure for which the certificate is issued.~~
- ~~5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.~~
- ~~6. The name of the code official.~~
- ~~7. The edition of the code under which the permit was issued.~~
- ~~8. The use and occupancy in accordance with the provisions of the *California Building Code*.~~
- ~~9. The type of construction as defined in the *California Building Code*.~~

- ~~10. The design occupant load and any impact the alteration has on the design occupant load of the area not within the scope of the work.~~
- ~~11. Where an automatic sprinkler system is provided, and whether an automatic sprinkler system is required.~~
- ~~12. Any special stipulations and conditions of the building permit.~~

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that the building safety division enforces, the building official shall either sign the approved inspection record card or issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structures.
3. A description of that portion of the structure for which the certificate is issued.
4. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
5. The name of the building official.
6. The edition of the code under which the permit was issued.
7. The use and occupancy, in accordance with the provisions of Chapter 3.
8. The type of construction as defined in Chapter 6.
9. If an automatic sprinkler system is provided, whether the sprinkler system is required.
10. Any special stipulations and conditions of the building permit.

113.1 Unlawful acts. ~~It shall be unlawful for any person, firm or corporation to repair, alter, extend, add, move, remove, demolish or change the occupancy of any building or equipment regulated by this code or cause same to be done in conflict with or in violation of any of the provisions of this code. It is unlawful for any person, firm, or corporation to perform any grading, or to relocate, replace, erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or to install or maintain any plumbing or drainage systems, or any mechanical systems, or any electrical wiring or fire safety systems in or about any building or structure or any appurtenances connected or attached to such buildings or structures in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the administrative or technical code. Each such person is guilty of a separate offense for each and every day during any portion of which a violation of any provision of any codes continued, or permitted by such person and shall be punishable accordingly.~~

SECTION 27. Section 16.18.040 REPEALED AND AMENDED. Section 16.18.040 of Chapter 16.18 (Existing Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section

16.18.040 follows:

16.18.040. Moved structures.

2025 California Existing Building Code Section 1401.2 is hereby amended as follows:

1401.2 Conformance. The building shall be safe for human occupancy as determined by the California Fire Code and the International Property Maintenance Code. Any repair, alteration or change of occupancy undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of the California Building Code or the California Residential Code, as applicable. [HCD 1 & HCD 2] After July 1, 1978, local ordinances or regulations for relocated or moved apartment houses and dwellings shall permit the retention of existing materials and methods of construction, provided the apartment house or dwelling complies with the building standards for foundations applicable to new construction and does not become or continue to be a substandard building. For additional information, see Health and Safety Code Section 17958.9.

Structures moved into or within the jurisdiction shall comply with the provisions of this code for new structures.

Exception: Moved apartment houses and dwellings may retain existing materials and methods of construction, provided the apartment house or dwelling complies with the building standards for foundations applicable to new construction and does not become or continue to be a substandard building. For additional information, see Health and Safety Code Section 17958.9.

SECTION 28. Section 16.24.020 AMENDED. Section 16.24.020 of Chapter 18.24 (Plumbing Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.24.020. Adoption by reference.

The ~~2021~~ 2024 Uniform Plumbing Code in its entirety as published by the International Association of Plumbing and Mechanical Officials and amendments to sections of the ~~2021~~ 2024 Uniform Plumbing Code adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 5 known as the ~~2022~~ 2025 California Plumbing Code, is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the plumbing code of the city of Sunnyvale.

SECTION 29. Section 16.24.025 REPEALED AND REPLACED. Section 16.24.025 of Chapter 16.24 (Plumbing Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.24.025 to read as follows:

16.24.025. Administration.

2025 California Plumbing Code Chapter 1 Division II is hereby amended as follows:

101.2. Scope. ~~The provisions of this code shall apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, and maintenance of plumbing systems within this jurisdiction.~~ The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolitions of every building or structure or any appurtenances connected or attached to such buildings or structures within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, or parts thereof, within and serving such building or structure, excluding therefrom the following:

- (1) Any building or structure located on real property belonging to:
 - (A) United States of America,
 - (B) State of California, or any political subdivision thereof,
 - (C) Any chartered city or non-chartered city, or
 - (D) Any school district, except when the proposed use is for non-classroom facilities;
- (2) Work located primarily in a public way;
- (3) Public utility towers and poles;
- (4) Mechanical equipment not specifically regulated in any of the codes; and
- (5) Hydraulic flood control structures.
- (6) Detached one- and two-family dwellings and multiple single-family dwellings (townhouse units) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with this code or the California Residential Code.

104.3.2 Plan Review Fees. ~~Where a plan or other data is required to be submitted in accordance with Section 104.3.1, a plan review fee shall be paid at the time of sub-mitting construction documents for review.~~

~~The plan review fees for plumbing work shall be determined and adopted by this jurisdiction.~~

~~The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 104.5.~~

~~Where plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate shown in Table 104.5.~~

When a plan review is required a plan checking fee shall be paid at the time of submitting plans and specifications for checking.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at rate established in the current fee resolution adopted by the city council.

104.3.3 Time Limitation of Application. ~~Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, plans and other data submitted for review thereafter, shall be returned to the applicant or destroyed by the Authority Having Jurisdiction. The Authority Having Jurisdiction shall be permitted to exceed the time for action by the applicant for a period not to exceed 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented the action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, the plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to grant one or more extensions of time for an additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. In order to proceed with a project once an application has expired, a new application is required with new plan reviews fees and plans based on the code in effect at the time of the new application.~~

104.4.3 Permit Expiration. ~~A permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void where the work authorized by such permit is not commenced within 180 days from the date of such permit or where the work authorized by such permit is suspended or abandoned at a time after the work is commenced for a period of 180 days. Before such work is recommenced, a new permit shall first be obtained to do so, and the fee, therefore, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspensions or abandonment has not exceeded 1 year.~~

(1) On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(2) If a permit has expired, no work may be recommenced until a new permit is obtained. The fee for a new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that the

period of suspension or abandonment was not in excess of one year, in which case the permittee shall pay a new, full permit fee and plan review fee.

(3) Any permittee holding an unexpired permit may apply for an extension of the time within which to commence or complete work under the permit. Such requests must be submitted in writing. The building official is authorized to grant one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing, and justifiable cause shall be demonstrated.

Note: Reference Building Standards Law, Health and Safety Code Sections 18938.5 and 18938.6, for provisions related to expiration of permits.

~~**104.4.6 Retention of Construction Documents.** One set of approved construction documents and computations shall be retained by the Authority Having Jurisdiction until final approval of the work covered therein.~~

~~One set of approved construction documents, computations, and manufacturer's installation instructions shall be returned to the applicant and said set shall be kept on the site of the building or work at times during which the work authorized thereby is in progress.~~

One set of approved construction documents shall be retained by the building official for the life of the building from the date of completion of the permitted work, or as referenced in the Health and Safety Code Sections 19850 and 19851.

104.4.7 Placement of Permit. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

~~**104.5 Fees. Schedule of Permit Fees.** Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule, Table 104.5. The fees are to be determined and adopted by this jurisdiction. On buildings, structures, electrical, gas, mechanical, and plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required by the current fee resolution approved by the city council.~~

~~**104.5.1 Work Commencing Before Permit Issuance.** Where work for which a permit is required by this code has been commenced without first obtaining said permit a special investigation shall be made before a permit is issued for such work. Whenever any work for which this code requires a permit has been commenced without first obtaining said permit, the fee for such permit shall be double the fee established by the current fee resolution approved by the city council.~~

~~**104.5.2 Investigation Fees: Work Without a Permit.** An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that is required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt a person from compliance~~

~~with other provisions of this code, nor from a penalty prescribed by law.~~

Whenever any work for which this code requires a permit has been commenced without first obtaining said permit a special investigation may be made before a permit may be issued for such work.

104.5.2.1. Fee. An investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

104.5.3 Refunds. The Authority Having Jurisdiction shall be permitted to authorize the refunding of a fee as follows:

(1) The amount paid hereunder that was erroneously paid or collected.

(2) Refunding of not more than a percentage determined by this jurisdiction where no work has been done under a permit issued in accordance with this code.

The Authority Having Jurisdiction shall not authorize the refunding of a fee paid except upon written application filed by the original permittee not to exceed 180 days after the date of fee payment.

The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when the permit is canceled and no work has been done under a permit issued in accordance with this section.

The building official may authorize refunding of the plan review fee paid with an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except by written request filed by the original permittee and for building permits that are not expired.

105.2.2 Other Inspections. In addition to the inspections required by this code, the Authority Having Jurisdiction shall be permitted to require other inspections to ascertain compliance with the provisions of this code and other laws that are enforced by the Authority Having Jurisdiction. In addition to the inspections specified above the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

105.2.6 Reinspections. A reinspection fee shall be permitted to be assessed for each inspection or reinspection where such portion of work for which inspection is called is not complete or where required corrections have not been made.

This provision shall not be interpreted as requiring reinspection fees the first time a job is rejected for failure to be in accordance with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

~~Reinspection fees shall be permitted to be assessed where the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the Authority Having Jurisdiction.~~

~~To obtain reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with Table 104.5.~~

~~In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.~~

~~A reinspection fee may be assessed as deemed necessary by the building official for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.~~

~~This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.~~

~~Reinspection fees may be assessed when the inspection records card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is required, or for deviating from plans requiring the approval of the building official.~~

~~In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required reinspection fees have been paid.~~

~~The reinspection fee shall be in accordance with the current fee resolution adopted by the city council.~~

105.2.7 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

106.7. Unlawful Acts. It is unlawful for any person, firm, or corporation to perform any grading, or to relocate, replace, erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or to install or maintain any plumbing or drainage systems, or any mechanical systems, or any electrical wiring or fire safety systems in or about any building or structure or any appurtenances connected or attached to such buildings or structures in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the administrative or technical code. Each such person is guilty of a separate offense for each and every day during any portion of which a violation of any provision of any codes continued, or permitted by such person and shall be punishable accordingly.

SECTION 30. Section 16.24.030 REPEALED AND REPLACED. Section 16.24.030 of Chapter 16.24 (Plumbing Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.24.030 to read as follows:

16.24.030. Alternative water sources for nonpotable applications.

2025 California Plumbing Code Chapter 15 is hereby amended as follows:

1504.4 Groundwater Level. ~~No excavation for an irrigation field, disposal field, or mulch basin shall extend within 3 feet vertical of the highest known seasonal groundwater level, nor to the depth where gray water contaminates the groundwater or surface water. The applicant shall supply evidence of groundwater depth to the satisfaction of the Authority Having Jurisdiction.~~

~~*Note: The absence of groundwater in a test hole three (3) vertical feet below the deepest irrigation or disposal point shall be sufficient to satisfy this section unless seasonal high groundwater levels have been documented to rise to within this area.*~~

Adequate groundwater separation shall be demonstrated to the satisfaction of the Enforcing Agency per the requirements below. Adequate demonstration of the requirements can be shown through documented seasonal high groundwater levels within the area or if there is no evidence of groundwater in a test hole of the required depth.

Clothes washer system or simple system: The deepest irrigation or disposal point of the proposed graywater system shall not extend within five vertical feet (1,524 mm) of groundwater.

Complex system: The deepest irrigation or disposal point of the proposed graywater system shall not extend within 10 vertical feet (3,048 mm) of groundwater.

SECTION 31. Section 16.28.020 AMENDED. Section 16.28.020 of Chapter 16.28 (Mechanical Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.28.020. Adoption by reference.

The ~~2021~~ 2024 Uniform Mechanical Code in its entirety as published by the International Association of Plumbing and Mechanical Officials and amendments to sections of the ~~2021~~ 2024 Uniform Mechanical Code adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 4 known as the ~~2022~~ 2025 California Mechanical Code, is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the plumbing code of the city of Sunnyvale.

SECTION 32. Section 16.28.025 REPEALED AND REPLACED. Section 16.28.025 of Chapter 16.28 (Mechanical Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.28.025 to read as follows:

16.28.025. Administration.

2025 California Mechanical Code Chapter 1 Division II is hereby amended as follows:

101.2. Scope. ~~The provisions of this code shall apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of mechanical systems within this jurisdiction.~~

The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolitions of every building or structure or any appurtenances connected or attached to such buildings or structures within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, or parts thereof, within and serving such building or structure, excluding therefrom the following:

- (1) Any building or structure located on real property belonging to:
 - (A) United States of America,
 - (B) State of California, or any political subdivision thereof,
 - (C) Any chartered city or non-chartered city, or
 - (D) Any school district, except when the proposed use is for non-classroom facilities;
- (2) Work located primarily in a public way;
- (3) Public utility towers and poles;
- (4) Mechanical equipment not specifically regulated in any of the codes;
and
- (5) Hydraulic flood control structures.
- (6) Detached one- and two-family dwellings and multiple single-family dwellings (townhouse units) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with this code or the California Residential Code.

104.3.2 Plan Review Fees. ~~Where a plan or other data is required to be submitted in accordance with Section 104.3.1, a plan review fee shall be paid at the time of submitting construction documents for review.~~

~~The plan review fees for mechanical system work shall be determined and adopted by this jurisdiction.~~

~~The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 104.5.~~

~~Where plans are incomplete or changed so as to require additional~~

~~review, a fee shall be charged at the rate shown in Table 104.5.~~

When a plan review is required a plan checking fee shall be paid at the time of submitting plans and specifications for checking.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at rate established in the current fee resolution adopted by the city council.

104.3.3 Time Limitation of Application. ~~Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, plans and other data submitted for review thereafter, shall be returned to the applicant or destroyed by the Authority Having Jurisdiction. The Authority Having Jurisdiction shall be permitted to extend the time for action by the applicant for a period not to exceed 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.~~

An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, the plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to grant one or more extensions of time for an additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. In order to proceed with a project once an application has expired, a new application is required with new plan reviews fees and plans based on the code in effect at the time of the new application.

104.4.3 Permit Expiration. ~~A permit issued by the Authority Having Jurisdiction under the provisions of this code shall expire by limitation and become null and void where the work authorized by such permit is not commenced within 180 days from the date of such permit, or where the work authorized by such permit is suspended or abandoned at a time after the work is commenced for a period of 180 days. Before such work is recommenced, a new permit shall first be obtained to do so, and the fee, therefore, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded 1 year.~~

(1) On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(2) If a permit has expired, no work may be recommenced until a new permit is obtained. The fee for a new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that the period of suspension or abandonment was not in excess of one year, in which case the permittee shall pay a new, full permit fee and plan review fee.

(3) Any permittee holding an unexpired permit may apply for an extension of the time within which to commence or complete work under the permit. Such requests must be submitted in writing. The building official is authorized to grant one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing, and justifiable cause shall be demonstrated.

Note: Reference Building Standards Law, Health and Safety Code Sections 18938.5 and 18938.6, for provisions related to expiration of permits.

104.4.6 Retention of Construction Documents. ~~One set of approved construction documents and computations shall be retained by the Authority Having Jurisdiction until final approval of the work is covered therein.~~

~~One set of approved construction documents, computations, and manufacturer's installation instructions shall be returned to the applicant, and said set shall be kept on the site of the building or work at times during which the work authorized thereby is in progress.~~

One set of approved construction documents shall be retained by the building official for the life of the building from the date of completion of the permitted work, or as referenced in the Health and Safety Code Sections 19850 and 19851.

104.4.7 Placement of Permit. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

104.5.1 Work Commencing Before Permit Issuance. ~~Where work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit is issued for such work. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the fee for such permit shall be double the fee established by the current fee resolution approved by the city council.~~

104.5.2. Investigation Fees: Work Without a Permit. ~~An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that is required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt a person from compliance with other provisions of this code, nor from a penalty prescribed by law. Whenever any work for which a permit is required by this code has been~~

commenced without first obtaining said permit a special investigation may be made before a permit may be issued for such work.

104.5.2.1. Fee. An investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

104.5.3 Refunds. ~~The Authority Having Jurisdiction shall be permitted to authorize the refunding of a fee as follows:~~

~~(1) The amount paid hereunder that was erroneously paid or collected.~~

~~(2) Refunding of not more than a percentage, as determined by this jurisdiction where no work has been done under a permit issued in accordance with this code.~~

~~The Authority Having Jurisdiction shall not authorize refunding of a fee paid except upon written application filed by the original permittee not to exceed 180 days after the date of fee payment.~~

The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when the permit is canceled and no work has been done under a permit issued in accordance with this section.

The building official may authorize refunding of the plan review fee paid with an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except by written request filed by the original permittee and for building permits that are not expired.

104.5.4 Schedule of Permit Fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required by the current fee resolution approved by the city council.

105.2.2 Other Inspections. ~~In addition to the inspections required by this code, the Authority Having Jurisdiction shall be permitted to require other inspections to ascertain compliance with the provisions of this code and other laws that are enforced by the Authority Having Jurisdiction.~~ In addition to the inspections specified above the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

105.2.6 Reinspections. ~~A reinspection fee shall be permitted to be assessed for each inspection or reinspection where such portion of work for which inspection is called is not complete or where required corrections have not been made.~~

~~This provision shall not be interpreted as requiring reinspection~~

~~fees the first time a job is rejected for failure to be in accordance with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.~~

~~Reinspection fees shall be permitted to be assessed where the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the Authority Having Jurisdiction.~~

A reinspection fee may be assessed as deemed necessary by the building official for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection records card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is required, or for deviating from plans requiring the approval of the building official.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required reinspection fees have been paid.

The reinspection fee shall be in accordance with the current fee resolution adopted by the city council.

105.5 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

106.7. Unlawful Acts. It is unlawful for any person, firm, or corporation to perform any grading, or to relocate, replace, erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or to install or maintain any plumbing or drainage systems, or any mechanical systems, or any electrical wiring or fire safety systems in or about any building or structure or any appurtenances connected or attached to such buildings or structures in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the administrative or technical code. Each such person is guilty of a separate offense for each and every day during any portion of which a violation of any provision of any codes continued, or permitted by such person and shall be punishable accordingly.

SECTION 33. Section 16.32.020 AMENDED. Section 16.32.020 of Chapter 16.32

(Electrical Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.32.020. Adoption by reference.

The ~~2022~~ 2023 National Electrical Code in its entirety as published by the National Fire Protection Association and amendments to sections of the ~~2022~~ 2023 National Electrical Code adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 3 known as the ~~2022~~ 2025 California Electrical Code, is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the electrical code of the city of Sunnyvale.

SECTION 34. Section 16.32.030 REPEALED AND REPLACED. Section 16.32.030 of Chapter 16.32 (Electrical Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.32.030 to read as follows:

16.32.030. Administration.

2025 California Electrical Code Section 89.101 is hereby amended as follows:

89.101.3 Scope. ~~The provisions of this code shall apply to the construction, alterations, movement, enlargement, replacement, repair, equipment, use, and occupancy, location, maintenance, removal, and demolition of every building or structure of any appurtenances connected or attached to such buildings or structures throughout the State of California.~~

The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolitions of every building or structure or any appurtenances connected or attached to such buildings or structures within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, or parts thereof, within and serving such building or structure, excluding therefrom the following:

- (1) Any building or structure located on real property belonging to:
 - (A) United States of America,
 - (B) State of California, or any political subdivision thereof,
 - (C) Any chartered city or non-chartered city, or
 - (D) Any school district, except when the proposed use is for non-classroom facilities;
- (2) Work located primarily in a public way;
- (3) Public utility towers and poles;
- (4) Mechanical equipment not specifically regulated in any of the codes;
and
- (5) Hydraulic flood control structures.

89.101.13 Time Limitation of Application. An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, the plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to grant one or more extensions of time for an additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. In order to proceed with a project once an application has expired, a new application is required with new plan reviews fees and plans based on the code in effect at the time of the new application.

89.101.14 Permit Expiration.

(1) On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(2) If a permit has expired, no work may be recommenced until a new permit is obtained. The fee for a new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that the period of suspension or abandonment was not in excess of one year, in which case the permittee shall pay a new, full permit fee and plan review fee.

(3) Any permittee holding an unexpired permit may apply for an extension of the time within which to commence or complete work under the permit. Such requests must be submitted in writing. The building official is authorized to grant one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing, and justifiable cause shall be demonstrated.

Note: Reference Building Standards Law, Health and Safety Code Sections 18938.5 and 18938.6, for provisions related to expiration of permits.

89.101.15 Placement of Permit. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

89.101.16 Retention of Construction Documents. One set of approved construction documents shall be retained by the building official for the life of the building from the date of completion of the permitted work, or as referenced in the Health and Safety Code Sections 19850 and 19851.

89.101.17 Schedule of Permit Fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required by the current fee resolution approved by the city council.

89.101.18 Work Commencing Before Permit Issuance.

Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the fee for such permit shall be double the fee established by the current fee resolution approved by the city council.

89.101.18.1 Investigation Fees: Work Without a Permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit a special investigation may be made before a permit may be issued for such work.

89.101.18.2 Fee. An investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

89.101.19 Refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when the permit is canceled and no work has been done under a permit issued in accordance with this section.

The building official may authorize refunding of the plan review fee paid with an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except by written request filed by the original permittee and for building permits that are not expired.

89.101.20 Plan Review Fees. When a plan review is required a plan checking fee shall be paid at the time of submitting plans and specifications for checking.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at rate established in the current fee resolution adopted by the city council.

89.101.21 Other Inspections. In addition to the inspections specified above the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

89.101.22 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

89.101.23 Reinspections. A reinspection fee may be assessed as deemed necessary by the building official for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection records card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is required, or for deviating from plans requiring the approval of the building official.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required reinspection fees have been paid.

The reinspection fee shall be in accordance with the current fee resolution adopted by the city council.

89.101.24 Unlawful Acts. It is unlawful for any person, firm, or corporation to perform any grading, or to relocate, replace, erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or to install or maintain any plumbing or drainage systems, or any mechanical systems, or any electrical wiring or fire safety systems in or about any building or structure or any appurtenances connected or attached to such buildings or structures in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the administrative or technical code. Each such person is guilty of a separate offense for each and every day during any portion of which a violation of any provision of any codes continued, or permitted by such person and shall be punishable accordingly.

SECTION 35. Section 16.34.020 AMENDED. Section 16.34.020 of Chapter 16.34 (Historical Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.34.020. Adoption by reference.

The "~~2022~~ 2025 California Historical Building Code" adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 8 is hereby adopted by reference as the historical building code of the city of Sunnyvale.

SECTION 36. Section 16.42.020 AMENDED. Section 16.42.020 of Chapter 16.42 (Energy Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.42.020. Adoption by reference.

The "2025~~2~~ California Energy Code" adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 6 is hereby adopted by reference as the energy code of the city of Sunnyvale.

SECTION 37. Section 16.42.030 REPEALED AND REPLACED. Section 16.42.030 of Chapter 16.42 (Energy Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.42.030 to read as follows:

16.42.030. Definitions.

2025 California Energy Code Section 100.1 (Definitions), subsection (b) is hereby amended to add or amend the following definitions, reading as follows:

LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE is a 208/240-volt 40-ampere minimum branch circuit and a receptacle.

LOW POWER LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE is a 208/240-volt 20-ampere minimum branch circuit and a receptacle.

NEWLY CONSTRUCTED BUILDING is a building that has never been used or occupied for any purpose. It shall also include newly constructed additions and improvements in existing buildings where more than 50 percent of the exterior wall is modified. The Chief Building Official shall make the final determination regarding the application of this definition.

SECTION 38. Section 16.42.040 REPEALED AND REPLACED. Section 16.42.040 of Chapter 16.42 (Energy Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.42.040 to read as follows:

16.42.040. Mandatory Features and Devices.

2025 California Energy Code Section 150.0 (Mandatory Features and Devices), is hereby amended to add new subsection (w), and to read as follows:

Single-family residential buildings shall comply with the applicable requirements of Sections 150(a) to 150(~~v~~)(w).

NOTE: [Text of 2025 California Energy Code unchanged]

(a) – (v) [Text of 2025 California Energy Code Section 150.0 unchanged]

(w) Electric Readiness for Remodels, Alterations, and Additions

1. **Electric range.** Where branch circuits or receptacles are added or altered in a kitchen and the work requires an electrical permit, install electrical components in accordance with the California Electrical Code. The electrical components shall include either of the following:
 - A. A 125 volt, 20 amp electrical receptacle that is connected to the electric panel with a 120/240 volt 3 conductor branch circuit rated at 50 amps minimum, within 3 feet from the appliance and accessible to the appliance with no obstructions. Both ends of the unused conductor shall be labeled with the word "spare" and be electrically isolated. Space shall be reserved for a single pole circuit breaker in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled with the words "Future Use".
 - B. A pathway for a future 240 volt 50 amp minimum branch circuit that shall consist of either conductors or raceway from the main electrical service panel. The main electric panel shall have space reserved to allow for the installation of a double pole circuit breaker for a future electric range installation. The reserved space shall be permanently marked as "For Future 240V use". The raceway or conductors shall terminate at a junction box within three feet of the appliance. The blank cover shall be identified as "240V ready".
2. **Electric dryer.** Where a branch circuit is added or altered within three feet of a gas or propane clothes dryer and the work requires an electrical permit, install electrical components in accordance with the California Electrical Code. The electrical components shall include either of the following:
 - A. A dedicated 125 volt, 20 amp electrical receptacle that is connected to the electric panel with a 120/240 volt 3 conductor branch circuit rated at 30 amps minimum, within 3 feet from the appliance and accessible to the appliance with no obstructions. Both ends of the unused conductor shall be labeled with the word "spare" and be electrically isolated. Space shall be reserved for a single pole circuit breaker in the electrical panel adjacent to the circuit breaker

for the branch circuit and labeled with the words "Future Use"; or,

- B. A pathway for a future 240 volt 30 amp minimum branch circuit that shall consist of either conductors or raceway from the main electrical service panel. The main electric panel shall have space reserved to allow for the installation of a double pole circuit breaker for a future heat pump dryer installation. The reserved space shall be permanently marked as "For Future 240V use". The raceway or conductors shall terminate at a junction box within three feet of the appliance. The blank cover shall be identified as "240V ready".

3. **Heat pump water heater.**

- A. If wall framing is removed or replaced within three feet of a gas or propane water heating appliance, space suitable for the future installation of a heat pump water heater (HPWH) shall be provided. The space shall be at least 2.5 feet by 2.5 feet wide and 7 feet tall and shall include a condensate drain that is no more than 2 inches higher than the base of an installed water heater and allows natural draining without pump assistance or installed piping or tubing within three feet of the water heater location to a condensate drain or exterior location. If pump assistance is needed, a receptacle on a 120 volt, minimum 15 amp branch circuit for a condensate pump must be available within 3 feet of the water heater location.
- B. Where branch circuits are altered or added within three feet of an existing gas or propane water heater or within 10 feet of the designated future location of a heat pump water heater as required under Section 150.0(w)3A, and the work requires an electrical permit, install electrical components in accordance with the California Electrical Code. The electrical components shall include either of the following:
- (i) A dedicated 125 volt, 20 amp electrical receptacle that is connected to the electric panel with a 120/240 volt 3 conductor, 10 AWG copper branch circuit rated at 30 amps minimum, within 3 feet from the water heater and accessible to the water heater with no obstructions. Both ends of the unused conductor shall be labeled with the word

“spare” and be electrically isolated. Space shall be reserved for a single pole circuit breaker space in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled with the words “Future 240V Use”; or

- (ii) A pathway for a future 240 volt 30 amp minimum branch circuit that shall consist of either conductors or raceway from the main electrical service panel. The main electric panel shall have space reserved to allow for the installation of a double pole circuit breaker for a future HPWH installation. The reserved space shall be permanently marked as “For Future 240V use”. The pathway shall terminate at a junction box within three feet of the appliance. The blank cover shall be identified as “240V ready”.

- 4. **Outdoor gas appliances.** Where a gas line is added or extended to any pool water heater, spa water heater, sauna, fireplace, outdoor cooking appliance, or outdoor heating system, install infrastructure and reserve physical space to accommodate future installation of an electric equivalent of that system that serves the same function, as certified by a registered design professional or licensed electrical contractor.

- A. Install conduit designed to serve a future electric appliance(s) with the same function, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions, in accordance with manufacturer requirements and the California Electrical Code. In lieu of or in addition to conduit, electrically isolated branch circuit wiring may be installed; and
- B. Label both ends of the unused conduit or conductors “For Future Electrical Appliance”; and
- C. Reserve circuit breakers in the electrical panel(s) for each branch circuit, appropriately labeled; and
- D. Designate physical space for future electric appliances, including equipment footprint, on the construction drawings. The footprint necessary for future electric

appliances may overlap with the location of currently
designed combustion equipment.

Exception to Section 150.0(w)4: Generator systems used
for emergency power generation.

5. **Electrical Power Upgrades.** Increases in the electrical power
infrastructure capacity serving a building shall only be permitted
when all the following are documented and submitted to the
building official:
- A. Calculations in accordance with California Electrical Code
Article 220.83 determining future loads will exceed the
capacity of the current electrical power infrastructure.
 - B. Where data is available, calculations in accordance with
California Electrical Code Article 220.87 determining that
future loads exceed the capacity of the current electrical
service infrastructure.
 - C. Calculations for item (A) and item (B) above shall include
at least one of the following:
 - (i) At least one power management or circuit
controlling device, serving electric-only appliances
such as:
 - a. Water heater(s)
 - b. Clothes dryer(s)
 - c. Range(s)
 - d. Level 2 EV Charging Receptacle or
 - e. Low Power Level 2 EV Charging
Receptacle
 - (ii) At least one of the following electric-only
appliances operating on 120V:
 - a. Water heater(s)
 - b. Clothes dryers(s)
 - c. Range(s)
 - (iii) Circuit control between whole home load and
Level 2 EV Charging Receptacle or Low Power
Level 2 EV Charging Receptacle

Exception 1 to Section 150.0(w): The project is the result of a repair as defined by Title
24 Part 2 Section 202.

Exception 2 to Section 150.0(w): If an electrical permit is not otherwise required for the project other than compliance with this section.

Exception 3 to Section 150.0(w): Where upgrades to the existing electrical panel or utility service are not proposed, electrical panel capacity shall not be required to exceed the existing utility electrical service to the building to meet compliance with this section. Capacity and overcurrent protection spaces shall be reserved to the extent allowable under the existing electrical panel capacity using the methodology in Section 150(w)5. Tandem overcurrent protection devices shall be used to the extent permissible under the California Electrical Code.

Exception 4 to Section 150.0(w): The project is the result of a safety improvement to remove a known hazard.

Exception 5 to Section 150.0(w): Mobile Homes, Manufactured Housing, or Factory-built Housing as defined in Division 13 of the California Health and Safety 12 Code (commencing with Section 17000 of the Health and Safety Code).

Exception 6 to Section 150.0(w): Emergency Housing pursuant to Appendix P of the California Building Code.

Exception 7 to Section 150.0(w): Creation of a new accessory dwelling unit or junior accessory dwelling unit that is within the existing space of a single family dwelling or accessory structure and includes an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress. Or, if the project would not otherwise be a Covered Single Family Project were it not for the inclusion of an accessory dwelling unit or junior accessory dwelling unit that meets the criteria above.

SECTION 39. Section 16.42.050 DELETED. Section 16.42.050 of Chapter 16.42 (Energy Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 40. Section 16.42.060 DELETED. Section 16.42.060 of Chapter 16.42 (Energy Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 41. Section 16.42.070 DELETED. Section 16.42.070 of Chapter 16.42 (Energy Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 42. Section 16.42.080 DELETED. Section 16.42.080 of Chapter 16.42 (Energy Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 43. Section 16.42.090 DELETED. Section 16.42.090 of Chapter 16.42 (Energy Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 44. Section 16.43.025 ADDED. A new Section 16.43.025 is hereby added to Chapter 16.43 (Green Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to read as follows:

16.43.025. Administration.

2025 California Green Building Code Chapter 1 is hereby amended as follows:

101.3. Scope.

~~The provisions of this code shall apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure, unless otherwise indicated in this code, throughout the State of California.~~

~~It is not the intent that this code substitute or be identified as meeting the certification requirements of any green building program.~~

The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolitions of every building or structure or any appurtenances connected or attached to such buildings or structures within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, energy systems, green building standards, or parts thereof, within and serving such building or structure, excluding therefrom the following:

(1) Any building or structure located on real property belonging to:

- (A) United States of America,
- (B) State of California, or any political subdivision thereof,
- (C) Any chartered city or non-chartered city, or
- (D) Any school district, except when the proposed use is for non-classroom facilities;

(2) Work located primarily in a public way;

(3) Public utility towers and poles;

(4) Mechanical equipment not specifically regulated in any of the codes; and

(5) Hydraulic flood control structures.

It is not the intent that this code substitute or be identified as meeting the certification requirements of any green building program.

SECTION 45. Section 16.43.020 AMENDED. Section 16.43.020 of Chapter 16.43 (Green Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.43.020. Adoption by reference.

The "~~2025 2022~~ California Green Building Standards Code" adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 11 is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the green building code of the city of Sunnyvale.

SECTION 46. Section 16.43.030 REPEALED AND REPLACED. Section 16.43.030 of Chapter 16.43 (Green Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.43.030 to read as follows:

16.43.030. Fireplaces and wood-burning appliances.

(a) 2025 California Green Building Code Section 4.503 is amended to read as follows:

4.503.1. General.

~~Any installed gas fireplace shall be a direct vent sealed combustion type. Any installed wood stove or pellet stove shall comply with U.S. EPA New Source Performance Standards (NSPS) emission limits as applicable, and shall have a permanent label indicating they are certified to meet the emission limit.~~

This section shall not apply to the repair, reconstruction or replacement of any lawful, existing wood-burning appliance.

- (1) Coal;
- (2) Garbage;
- (3) Glossy or colored paper;
- (4) Paint;
- (5) Paint solvent;
- (6) Particle board;
- (7) Plastic or items made from plastic;
- (8) Rubber or items made from rubber;
- (9) Salt water driftwood;
- (10) Treated wood; and
- (11) Waste petroleum products.

(b) 2025 California Green Building Code Section 5.503.1 is amended to read as follows:

5.503.1 Fireplaces. ~~Install only a direct vent sealed combustion or sealed wood burning fireplace, or a sealed woodstove or pellet stove, and refer to residential requirements in the California Energy Code, Title 24, Part 6, Subchapter 7, Section 150.~~ Install only a direct-vent sealed or pellet stove. Any

installed pellet stove shall comply with U.S. EPA New Source Performance Standards (NSPS) emission limits as applicable, and shall have a permanent label indicating they are certified to meet the emission limits. ~~Woodstoves, pellet~~ Pellet stoves and fireplaces shall also comply with applicable local ordinances.

This section shall not apply to the repair, reconstruction or replacement of any lawful, existing wood-burning appliance.

It is unlawful to burn the following in any fireplace or wood-burning appliance:

- (1) Coal;
- (2) Garbage;
- (3) Glossy or colored paper;
- (4) Paint;
- (5) Paint solvent;
- (6) Particle board;
- (7) Plastic or items made from plastic;
- (8) Rubber or items made from rubber;
- (9) Salt water driftwood;
- (10) Treated wood; and
- (11) Waste petroleum products.

SECTION 47. Section 16.43.040 REPEALED AND REPLACED. Section 16.43.040 of Chapter 16.43 (Green Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.43.040 to read as follows:

16.43.040. Definitions.

2025 California Green Building Code Section 201 (Definitions) is hereby amended as follows:

Electric Vehicle (EV) Capable Space: A vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging. Raceways linking the electrical panel and parking space only need to be installed in spaces that will be inaccessible in the future, either trenched underground or where penetrations to walls, floors, or other partitions would otherwise be required for future installation of branch circuits. The panel circuit directory shall identify the overcurrent protective device space(s) reserved for EV charging as “EV CAPABLE.” Construction documents shall indicate future completion of raceway from the panel to the parking space, via the installed inaccessible raceways.

Level 1 Electric Vehicle (EV) Ready Space: A parking space served by a complete electric branch circuit ~~with a minimum of 120 volt, 20 ampere capacity~~

~~including electrical panel capacity, overprotection device, a minimum 1" diameter raceway (both underground and/or surface mounted) that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labeled "Electric Vehicle Outlet" with at least a ½" font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE).~~

Level 2/3 Electric Vehicle (EV) Ready Space: A vehicle space which is provided with a branch circuit; any necessary raceways, both underground and/or surface mounted; to accommodate EV charging, terminating in a receptacle or a charger.

~~A parking space served by a complete electric circuit with a minimum 208/240 volt, 40-ampere capacity including electrical panel capacity, overprotection device, a minimum 1" diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labeled "Electric Vehicle Outlet" with at least a ½" font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE) with a minimum output of 30 amperes.~~

~~**Level 3 Electric Vehicle (EV) Ready Space:** A parking space served by a complete electric circuit with at least a 208/240 volt, 40-ampere capacity including electrical panel capacity, overprotection device, a minimum 1" diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labelled "Electric Vehicle Outlet" with at least a ½" font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE) with a minimum output of 80 amperes.~~

Electric Vehicle Charging Station (EVCS): A parking space that includes installation of electric vehicle supply equipment (EVSE). EVCS installation may be used to satisfy a Level 2 EV Ready Space requirement.

~~**Level 3 Electric Vehicle Charging Station (EVCS):** A parking space that includes installation of electric vehicle supply equipment (EVSE) with a minimum capacity of 80 amperes connected to a circuit serving a Level 3 EV Ready Space. EVCS installation may be used to satisfy a Level 3 EV Ready Space requirement. As applied to this code, a Level 3 shall be SAE J1772 (IEC Type 1) or alternative approved by the chief building official.~~

Automatic Load Management Systems (ALMS): A system designed to manage load across one or more electric vehicle supply equipment (EVSE) to share electrical capacity and/or automatically manage power at each connection point. ALMS systems must be designed to deliver at least 3.3kW to each EV Capable, EV Ready or EVCS space served by the ALMS.

SECTION 48. Section 16.43.045 DELETED. Section 16.43.045 of Chapter 16.43 (Green Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby deleted.

SECTION 49. Section 16.43.050 REPEALED AND REPLACED. Section 16.43.050 of Chapter 16.43 (Green Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.43.050 to read as follows:

16.43.050. Multifamily, Hotel, and Motel mandatory measures—Electric vehicle (EV) charging.

- (a) 2025 California Green Building Code Section 4.106.4 (Electric vehicle (EV) charging for new construction) is hereby amended to read as follows:

4.106.4 Electric vehicle (EV) charging for new construction.

New construction shall comply with Section 4.106.4.1 or 4.106.4.2. Electric vehicle supply equipment (EVSE) shall comply with the *California Electrical Code*.

Exceptions:

~~1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:~~

~~—1.1. Where there is no local utility power supply or the local utility is unable to supply adequate power.~~

~~—1.2. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4, may adversely impact the construction cost of the project.~~

~~2. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities.~~

~~1. Where there is no local utility power supply.~~

~~2. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities, unless the electrical panel is upgraded, or a new panel is installed in which case only the electrical capacity requirements apply.~~

~~3. Spaces accessible only by automated mechanical car parking systems are excepted from providing EV charging infrastructure.~~

- (b) 2025 California Green Building Code Section 4.106.4.1 (New one- and two-family dwellings and townhouse units with attached private garages) is hereby amended to read as follows:

4.106.4.1. New one- and two-family dwellings and townhouse units with attached private garages.

1. In private garages with two or more parking spaces, install a Level 2 EV Ready Space and Level 1 EV Ready Space.

2. In private garages with only one parking space, install a Level 2 EV Ready Space.

3. In each carport space assigned to a dwelling unit, install a Level 2 EV Ready Space.

4. For parking spaces not assigned to a dwelling unit:

- a. 30% of the unassigned parking space(s) shall be provided with at least one Level 2 EV Ready Space. Calculations for the required minimum number of Level 2 EV Ready spaces shall be rounded up to the nearest whole number.
- b. In addition, each remaining unassigned parking space(s) shall be provided with at least a Level 1 EV Ready Space.

~~For each dwelling unit, install a listed raceway to accommodate a dedicated 208/240-volt branch circuit. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter). The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box or other enclosure in close proximity to the proposed location of an EV charger. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere 208/240-volt minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent protective device.~~

~~**Exception:** A raceway is not required if a minimum 40-ampere 208/240-volt dedicated EV branch circuit is installed in close proximity to the proposed location of an EV charger at the time of original construction in accordance with the *California Electrical Code*.~~

- (c) 2025 California Green Building Code Section 4.106.4.1.1 (Identification) is hereby amended to read as follows:

~~The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future EV charging as "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV CAPABLE".~~

4.106.4.1.1. Identification. The raceway termination location shall be permanently and visibly marked as "Level 2 EV-Ready."

- (d) 2025 California Green Building Code Section 4.106.4.2.2 (Multifamily dwellings) is hereby amended to read as follows:

1. EV ready parking spaces with EV chargers and/or receptacles.
 - a. **Multifamily parking facilities with assigned parking.** Where dwelling units are provided with assigned parking spaces ~~equal to or greater than the number of dwelling units~~, 10% of the number of assigned parking spaces shall be equipped with Level 2 EV chargers. At least fifty (50) percent of the required EV chargers shall be equipped with J1772 or J3400 connectors. 40% of dwelling units with a parking space shall be Level 2 EV Ready (rounded up to the next whole number) and the remaining shall be at least one low power

Level 2 EV charging receptacle shall be provided at an assigned parking space for each dwelling unit.

~~1. Where the total number of dwelling units exceeds the number of assigned parking spaces, all assigned parking spaces shall be provided with one low power Level 2 EV charging receptacle.~~

Exception: Areas of parking facilities served by parking lifts, including but not limited to, automated mechanical-access open parking garages as defined in the *California Building Code*; or parking facilities otherwise incapable of supporting electric vehicle charging.

- b. **Multifamily parking facilities with unassigned parking.** Where dwelling units are provided with unassigned parking spaces equal to or greater than the number of dwelling units, 10% of the total number of parking spaces shall be equipped with Level 2 EV chargers. At least fifty (50) percent of the required EV chargers shall be equipped with J1772 or J3400 connectors. 40% of the total parking spaces shall be Level 2 EV Ready (rounded up to the next whole number) and the remaining shall be at least one low power Level 2 EV charging receptacle. ~~at least one low power Level 2 EV charging receptacle shall be provided at an unassigned parking space for each dwelling unit.~~

1. Where the total number of dwelling units exceeds the number of unassigned parking spaces, 10% of the total number of parking spaces shall be equipped with Level 2 EV chargers. At least fifty (50) percent of the required EV chargers shall be equipped with J1772 connectors. 40% of the total shall be Level 2 EV Ready (rounded up to the next whole number) and the remaining all unassigned parking spaces shall be provided with one low power Level 2 EV charging receptacle.

Exception: Areas of parking facilities served by parking lifts, including but not limited to, automated mechanical-access open parking garages as defined in the *California Building Code*; or parking facilities otherwise incapable of supporting electric vehicle charging.

- c. **Multifamily parking facilities with assigned and unassigned parking.** Where multifamily buildings are provided with both assigned and unassigned parking spaces equal to or greater than the number of dwelling units, 10% of the total number of parking spaces shall be equipped with Level 2 EV chargers. At least fifty (50) percent of the required EV chargers shall be equipped with J1772 or J3400 connectors. 40% of the total parking spaces shall be Level 2 EV Ready

(rounded up to the next whole number) and the remaining shall have at least one low power Level 2 EV charging receptacle.

- d. **Receptacle power source.** EV charging receptacles in multifamily parking facilities at assigned parking spaces shall be provided with a dedicated branch circuit connected to the dwelling unit's electrical panel, unless determined as infeasible by the project builder or designer and subject to concurrence of the local enforcing agency.

Exception: Areas of parking facilities served by parking lifts, including but not limited to, automated mechanical-access open parking garages as defined in the *California Building Code*; or parking facilities otherwise incapable of supporting electric vehicle charging.

- e. **Multifamily parking facilities with unassigned or common use parking.** 25% of the total number of parking spaces shall be equipped with Level 2 EV chargers. At least fifty (50) percent of the required EV chargers shall be equipped with J1772 or J3400 connectors. 40% of the total parking spaces shall be Level 2 EV Ready (rounded up to the next whole number) and the remaining shall have at least one low power Level 2 EV charging receptacle.

- f. **Ev charger connectors.** EV chargers shall be equipped with J1772 or J3400 connectors.

- g. An automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.

- eh. **Receptacle configurations.** 208/240V EV charging receptacles shall comply with one of the following configurations:

1. For 20-ampere receptacles, NEMA 6-20R
2. For 30-ampere receptacles, NEMA 14-30R
3. For 50-ampere receptacles, NEMA 14-50R

~~2. EV ready parking spaces with EV chargers.~~

- a. ~~**Multifamily parking facilities with unassigned or common use parking.**~~ ~~In addition to the low power Level 2 EV charging receptacle requirements of Section 4.106.4.2.2 (1), twenty five (25) percent of unassigned or common use parking spaces not already provided with~~

~~low power Level 2 EV charging receptacles, pursuant to Section 4.106.4.2.2 (1), shall be equipped with Level 2 EV chargers and shall be made available for use by all residents or guests.~~

~~b. **Ev charger connectors.** EV chargers shall be equipped with J1772 or J3400 connectors.~~

~~c. An automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.~~

Notes:

1. ALMS may be installed to decrease electrical service and transformer costs associated with EV Charging Equipment subject to review of the authority having jurisdiction.
2. Installation of Level 2 EV Ready Spaces above the minimum number required level may offset the minimum number low power Level 2 EV Ready Spaces required on a 1:1 basis.
3. If a building permit applicant provides documentation detailing that the increased cost of utility service or on-site transformer capacity would exceed an average of \$4,500 for each parking spaces with Level 2 EV Ready Spaces and Level 1 EV Ready Spaces, the applicant shall provide EV infrastructure up to a level that would not exceed this cost for utility service or on-site transformer capacity.
4. All accessible parking spaces for covered newly constructed multifamily dwellings shall provide low Level 2 EV Ready Space or Level 2 EV Ready Spaces.
5. The requirements apply to multifamily buildings with parking spaces including: a) assigned or leased to individual dwelling units and b) unassigned parking spaces.

- (e) 2025 California Green Building Code Section 4.106.4.2.6 (Hotels and motels) is hereby amended to read as follows:

4.106.4.2.6 Hotels and motels.

- 1. EV ready parking spaces with EV chargers and/or receptacles.**
 - a. ~~**Hotels and motels.**~~ 25% of the total number of parking spaces shall be equipped with Level 2 EV chargers. At least 50% of the required EV chargers shall be equipped with J1772 or J3400 connectors. Forty (40) percent of the total number of parking spaces shall be equipped with

low power Level 2 EV charging receptacles. The remaining parking spaces shall be provided with a least Level 1 EV Capable.

Exception: Areas of parking facilities served by parking lifts, including but not limited to automated mechanical-access open parking garages as defined in the *California Building Code*; or parking facilities otherwise incapable of supporting electric vehicle charging.

b. **Receptacle configurations.** 208/240V EV charging receptacles shall comply with one of the following configurations:

1. For 20- ampere receptacles, NEMA 6-20R
2. For 30- ampere receptacles, NEMA 14-30R
3. For 50- ampere receptacles, NEMA 14-50R

~~2. EV Ready parking spaces with EV chargers.~~

~~a. **Hotels and motels.** Twenty five (25) percent of the total number of parking spaces shall be equipped with Level 2 EV chargers.~~

~~b. **EV charger connectors.** EV chargers shall be equipped with J1772 or J3400 connectors.~~

~~**Exception:** Areas of parking facilities served by parking lifts, including but not limited to, automated mechanical-access open parking garages as defined in the *California Building Code*; or parking facilities otherwise incapable of supporting electric vehicle charging.~~

c. An automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EV chargers shall have a capacity of not less than 30 amperes.

SECTION 50. Section 16.43.060 REPEALED AND REPLACED. Section 16.43.060 of Chapter 16.43 (Green Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby repealed and replaced in its entirety with a new Section 16.43.060 to read as follows:

16.43.060. Nonresidential mandatory measures—Electric vehicle (EV) charging.

(a) 2025 California Green Building Code Section 5.106.5.3 (Electric vehicle (EV) charging) is hereby amended to read as follows:

5.106.5.3. Electric vehicle (EV) charging.

Construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3.1 EV capable spaces, Section 5.106.5.3.2 Electric vehicle charging stations ~~and associated Table 5.106.5.3.4, or Section 5.106.5.3.6 Electric vehicle charging stations (EVCS)—Power allocation method and associated Table 5.106.5.3.6, and~~ shall be provided in accordance with regulations in the *California Building Code* and the *California Electrical Code*.

Exceptions:

- ~~1. On a case by case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:
 - a. Where there is no local utility power supply.
 - b. Where the local utility is unable to supply adequate power.
 - c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may adversely impact the construction cost of the project.~~
- ~~2. Areas of parking facilities served by parking lifts, including but not limited to, automated mechanical access open parking garages as defined in the California Building Code; or parking facilities otherwise incapable of supporting electric vehicle charging.~~

Exceptions:

1. Where there is no local utility power supply.
2. Spaces accessible only by automated mechanical car parking systems are excepted from providing EV charging infrastructure.

(b) 2025 California Green Building Code Section 5.106.5.3.1 (EV capable spaces) is hereby amended to read as follows:

EV capable spaces shall be provided in accordance with ~~Table 5.106.5.3.1 and~~ the following requirements:

1. Raceways complying with the *California Electrical Code* and no less than 1-inch (25 mm) diameter shall be provided and shall originate at a service panel or a subpanel(s) serving the area, and shall terminate in close proximity to the proposed location of the EV capable space and into a suitable listed cabinet, box, enclosure or equivalent. A common raceway may be used to serve multiple EV capable spaces.
2. A service panel or subpanel(s) shall be provided with panel space and electrical load capacity for a dedicated 208/240 volt, 40-ampere minimum branch circuit for each EV capable space, with delivery of 30-ampere minimum to an installed EVSE at each EVCS.

3. The electrical system and any on-site distribution transformers shall have sufficient capacity to supply full rated amperage at each EV capable space.
4. The service panel or subpanel circuit directory shall identify the reserved overcurrent protective device space(s) as "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV CAPABLE."

Note: A parking space served by electric vehicle supply equipment or designed as a future EV charging space shall count as at least one standard automobile parking space only for the purpose of complying with any applicable minimum parking space requirements established by an enforcement agency. See Vehicle Code Section 22511.2 for further details.

- (c) 2025 California Green Building Code Section 5.106.5.3.2 (Electric vehicle charging stations (EVCS), is hereby deleted.
- (d) 2025 California Green Building Code Section 5.106.5.4.1 Existing buildings or parking areas without previously installed EV capable infrastructure shall be amended:

When EV capable infrastructure does not exist at an existing parking facility or building, and the parking facility or building undergoes an addition or alteration listed in Section 5.106.5.4, construction shall include electric vehicle charging in compliance with either Section 5.106.5.3 and associated ~~Table 5.106.5.3.1~~, or Section 5.106.5.3.6 and associated ~~Table 5.106.5.3.6~~ for the total number of actual parking spaces being added or altered.

- (e) 2025 California Green Building Code Section 5.106.5.4.2 Existing buildings or parking areas with previously installed EV capable infrastructure shall be amended:

When EV capable infrastructure is available at an existing parking facility or building, and the parking facility or building is undergoing an addition or alteration listed in Section 5.106.5.4, construction shall include electric vehicle charging in compliance with either Section 5.106.5.3 and associated ~~Table 5.106.5.3.1~~, or Section 5.106.5.3.6 and associated ~~Table 5.106.5.3.6~~. Install EVCS at all existing EV capable spaces, utilizing the existing allocated power and infrastructure for the total number of actual parking spaces being added or altered, prior to adding any new EV capable spaces. If the area being added or altered exceeds the existing EV capable capacity, allocated power and infrastructure, provide additional EV charging as needed to comply with this section.

- (f) 2025 California Green Building Code Section 5.106.5.6 (Electric vehicle (EV) charging at public schools and community colleges. [DSA-SS]), is hereby amended to read:

~~5.106.5.6. Electric vehicle (EV) charging at public schools and community colleges. [DSA-SS] Office buildings~~

~~Electric vehicle infrastructure and electric vehicle charging stations shall comply with Section 5.106.5.6 and shall be provided in accordance with regulations in the *California Building Code* and the *California Electrical Code*.~~

~~Exceptions:~~

~~1. On a case-by-case basis where compliance with this section has been demonstrated to be not feasible based upon one of the following conditions, and with concurrence by the Division of the State Architect (DSA), compliance with Section 5.106.5.6 shall not be required.~~

~~a. Where there is no local utility power supply.~~

~~b. Where the local utility is unable to supply adequate power.~~

~~c. The installation of EVCS is impracticable.~~

~~2. Parking spaces accessible only by automated mechanical car parking systems are not required to comply with Section 5.106.5.6.~~

In nonresidential new construction buildings designated primarily for office use with parking:

1. 35% of parking spaces shall be provided with at least one Level 2 EVCS. Calculations for the required minimum number of Level 2 EVCS shall be rounded up to the nearest whole number.

2. An additional 35% shall be provided with at least EV Capable. Calculations for the required minimum number of spaces equipped with Level 2 EVCS and EV Capable spaces shall all be rounded up to the nearest whole number. Construction plans and specifications shall demonstrate that all raceways shall be a minimum of 1" and sufficient for installation of EVCS at all required EV Capable spaces; Electrical calculations shall substantiate the design of the electrical system to include the rating of equipment and any on-site distribution transformers, and have sufficient capacity to simultaneously charge EVs at all required EV spaces including EV Capable spaces; and service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) for the future installation of the EVSE.

Note:

ALMS may be installed to increase the number of EV chargers or the amperage or voltage beyond the minimum requirements in this code. The option does not allow for installing less electrical panel capacity than would be required without ALMS.

- (g) 2025 California Green Building Code Sections 5.106.5.6.1 (EV capable spaces), Table 5.106.5.6.1, 5.106.5.6.2 (Electric vehicle charging stations (EVCS)), 5.106.5.6.2.1 (Reduced number of EV capable spaces), 5.106.5.6.2.2 (Multiple connectors), 5.106.5.6.2.3 (Use of automatic load management systems (ALMS)), 5.106.5.6.3 (EVCS alternative compliance), TABLE 5.106.5.6.3, 5.106.5.6.4 (EVCS for alterations of or additions to parking facilities), 5.106.5.6.4.1 (Alterations of and additions to parking facilities), 5.106.5.6.4.2 (Alterations consisting of the installation of photovoltaic systems, and 5.106.5.6.5 (Requirement to install EVSE) are hereby deleted.
- (h) 2025 California Green Building Code Section 5.106.6 (Reserved) is hereby amended to read as follows:

5.106.6. Other nonresidential buildings.

In nonresidential new construction buildings that are not designated primarily for office use, such as retail or institutional uses:

1. 35% of the available parking spaces onsite shall be equipped with Level 2 EVCS.
2. An additional 35% shall be at least EV Capable.
3. A Level 3 EVCS (Direct Current Fast Charger) shall be provided for every 100 spaces on site or fraction thereof.

Calculations for the required minimum number of spaces equipped with Level 2 and Level 3 EVCS and EV Capable shall be rounded up to the nearest whole number.

Exception: Installation of each Direct Current Fast Charger with the capacity to provide at least 80 kW output may substitute for 6 Level 2 EVCS spaces after a minimum of 6 Level 2 EVCS are installed.

Construction plans and specifications shall demonstrate that all raceways shall be a minimum of 1" and sufficient for installation of EVCS at all required EV Capable spaces; electrical calculations shall substantiate the design of the electrical system to include the rating of equipment and any on-site distribution transformers, and have sufficient capacity to simultaneously charge EVs at all required EV spaces including EV Capable spaces; and service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) for the future installation of the EVCS.

Note: ALMS may be installed to increase the number of EV chargers or the amperage or voltage beyond the minimum requirements in this code. The option does not allow for installing less electrical panel capacity than would be required without ALMS.

SECTION 51. Section 16.43.070 AMENDED. Section 16.43.070 of Chapter 16.43

(Green Building Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.43.070. Energy Efficiency.

202~~52~~ California Green Building Standards Code Division 4.2 (Energy Efficiency) is hereby amended to add Section A4.204 (Requirements for Alterations to Existing Buildings) to read as follows:

A4.204 Requirements for Alterations to Existing Buildings

A4.204.1 Energy Efficiency. Alterations to existing residential buildings shall comply with Sections A4.204.1.1.

A4.204.1.1 Altered Space-Conditioning System Serving Existing Single-Family Dwelling Units – Mechanical Cooling. When a space-conditioning system serving an existing single-family dwelling unit is altered in climate zone 4 by installation or replacement of an air conditioner, the altered system shall comply with either a or b below in addition to the requirements for installation specified by Title 24, Part 6, Sections 150.2(b)1E and 150.2(b)1F:

a. A heat pump shall be the primary heating source and sized according to the system selection requirements specified by Title 24, Part 6 of Section 150.0(h)5. Supplemental heating may be provided by a gas furnace or electric resistance heating as specified in Title 24, Part 6, Sections 150.0(h)7 and 150.0(i); or

b. An air conditioner shall meet all the requirements in either subsection I or II below:

I. Systems with Existing Duct Distribution Systems:

A. The duct system measured air leakage shall be equal to or less than 10 percent of the system air handler airflow as confirmed through field verification and diagnostic testing, per the requirements in Title 24, Part 6, Reference Residential Appendix Section RA3.1.4.3.1; and

Exception 1 to A4.204.1.1bIA. If it is not possible to meet the duct sealing requirements, all accessible leaks shall be sealed and verified through a visual inspection and a smoke test by a certified ECC-Rater utilizing the methods specified in Reference Residential Appendix Section RA3.1.4.3.5.

Exception 2 to A4.204.1.1bIA: Existing duct systems, constructed, insulated or sealed with asbestos.

B. Demonstrate, in every control mode, airflow greater than or equal to 300 CFM per ton of nominal cooling capacity through the return grilles, and an air-handling unit fan efficacy less than or equal to 0.45 W/CFM. The airflow rate and fan efficacy requirements in this section shall be confirmed through field verification and diagnostic testing, following the procedures outlined in Title 24, Part 6, Reference Residential Appendix RA3.3; and

Exception 1 to A4.204.1.1bIB: Systems unable to comply with the minimum airflow rate and system efficacy requirements shall demonstrate compliance by satisfying all of the following:

1. Following the procedures in Section RA3.3.3.1.5;
2. Installing a system thermostat that conforms to the specifications in Section 110.12;
3. For standard ducted systems (without zoning dampers), meet the applicable minimum total return filter grille nominal area requirements in Table 150.0-B or 150.0-C as confirmed by field verification and diagnostic testing in accordance with the procedures in Reference Residential Appendix Sections RA3.1.4.4 and RA3.1.4.5. The design clean-filter pressure drop requirements specified by Section 150.0(m)12D for the system air filter(s) shall conform to the requirements given in Tables 150.0-B and 150.0-C.

Exception 2 to Section A4.204.1.1 b IB: Multispeed compressor systems or variable speed compressor systems shall verify air flow (cfm/ton) and fan efficacy (watts/cfm) for system operation at the maximum compressor speed and the maximum air handler fan speed.

Exception 3 to Section A4.204.1.1bIB: Gas furnace air- handling units manufactured prior to July 3, 2019 shall comply with a fan efficacy value less than or equal

to 0.58 W/cfm as confirmed by field verification and diagnostic testing in accordance with the procedures given in Reference Residential Appendix RA3.3.

C. In all climate zones, refrigerant charge verification requirements shall meet the requirements in Title 24, Part 6 Section 150.2(b)1Fiib, including the minimum airflow rate specified in Section 150.2(b)1Fiia; and

D. Vented attics shall have insulation installed to achieve a U-factor of 0.020 or insulation installed at the ceiling level shall result in an insulated thermal resistance of R-49 or greater for the insulation alone; luminaires not rated for insulation contact must be replaced or retrofitted with a fireproof cover that allows for insulation to be installed directly over the cover; and

Exception 1 to Section A4.204.1.1(b)ID: Dwelling units with at least R-38 existing insulation installed at the ceiling level.

Exception 2 to Section A4.204.1.1(b)ID: Dwelling units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section A4.204.1.1(b)ID: Dwelling units with knob and tube wiring located in the vented attic.

Exception 4 to Section A4.204.1.1(b)ID: Where the accessible space in the attic is not large enough to accommodate the required R-value, the entire accessible space shall be filled with insulation provided such installation does not violate Section 806.3 of Title 24, Part 2.5.

E. Air seal all accessible areas of the ceiling plane between the attic and the conditioned space including all joints, penetrations and other openings that are potential sources of air leakage by caulking, gasketing, weather- stripping or otherwise sealing to limit infiltration and exfiltration.

Exception 1 to Section A4.204.1.1bIE: Dwelling units with at least R-38 existing insulation installed at the ceiling level.

Exception 2 to Section A4.204.1.1 bIE: Dwelling

units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section A4.204.1.1bIE: Dwelling units with atmospherically vented space heating or water heating combustion appliances located inside the pressure boundary of the dwelling unit.

II. Entirely New or Complete Replacement Duct Systems:

- A. R-8 duct insulation shall be installed for all new ducts located in unconditioned space; and
- B. The total duct system measured air leakage shall be equal to or less than 5 percent of the system air handler airflow as confirmed through field verification and diagnostic testing, per the requirements in Title 24, Part 6, Reference Residential Appendix Section RA3.1.4.3.1; and
- C. Demonstrate, in every control mode, airflow greater than or equal to 350 CFM per ton of nominal cooling capacity through the return grilles, and an air-handling unit fan efficacy less than or equal to 0.35 W/CFM. The airflow rate and fan efficacy requirements in this section shall be confirmed through field verification and diagnostic testing, following the procedures outlined in Title 24, Part 6, Reference Residential Appendix RA3.3; and
- D. In all climate zones, refrigerant charge verification requirements shall meet the requirements in Title 24, Part 6 Section 150.2(b)1Fiib; and
- E. If the air handler and ducts are located within a vented attic, vented attics shall have insulation installed to achieve a U-factor of 0.020 or insulation installed at the ceiling level shall result in an insulated thermal resistance of R-49 or greater for the insulation alone; luminaires not rated for insulation contact must be replaced or retrofitted with a fireproof cover that allows for insulation to be installed directly over the cover; and

Exception 1 to Section A4.204.1.1bIIE: In

dwelling units with at least R-19 existing insulation installed at the ceiling level.

Exception 2 to Section A4.204.1.1bIIE: Dwelling units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section A4.204.1.1bIIE: Dwelling units with knob and tube wiring located in the vented attic.

Exception 4 to Section A4.204.1.1bIIE: Where the accessible space in the attic is not large enough to accommodate the required R-value, the entire accessible space shall be filled with insulation provided such installation does not violate Section 806.3 of Title 24, Part 2.5.

- F. Air seal all accessible areas of the ceiling plane between the attic and the conditioned space including all joints, penetrations and other openings that are potential sources of air leakage by caulking, gasketing, weather-stripping or otherwise sealing to limit infiltration and exfiltration.

Exception 1 to Section A4.204.1.1bIIF: Dwelling units with at least R-19 existing insulation installed at the ceiling level.

Exception 2 to Section A4.204.1.1bIIF: Dwelling units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section A4.204.1.1bIIF: Dwelling units with atmospherically vented space heating or water heating combustion appliances located inside the pressure boundary of the dwelling unit.

Exception 1 to Section A4.204.1.1: Where the capacity of the existing main electrical service panel is insufficient to supply the electrical capacity of a heat pump and where the existing main electrical service panel is sufficient to supply a new or replacement air conditioner, as calculated according to the requirements of California Electrical Code Article 220.83 or Article 220.87. Documentation of electrical load calculations in accordance with Article 220 must be submitted to the enforcement agency prior to permitting for both the heat pump and proposed air conditioner.

Exception 2 to Section A4.204.1.1: Where the required capacity of a heat pump to meet the system selection requirements of Section 150.0(h)5 is

greater than or equal to 12,000 Btu/h more than the greater of the required capacity of an air conditioner to meet the design cooling load OR the capacity of the existing air conditioner. Documentation of heating and cooling load calculations in accordance with 150.0(h) must be submitted to the enforcement agency prior to permitting for both the heat pump and proposed air conditioner.

SECTION 52. Section 16.50.020 AMENDED. Section 16.50.020 of Chapter 18.50 (Property Maintenance Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code is hereby amended to read as follows:

16.50.020. Adoption by reference.

The "2024~~4~~ International Property Maintenance Code" is hereby adopted by reference as the property maintenance code of the city of Sunnyvale. All references to jurisdictional requirements are found in the Sunnyvale Municipal Code or other appropriate schedules.

SECTION 53. Chapter 16.55 ADDED. Chapter 16.55 (Wildland-Urban Interface Code) of Title 16 (Buildings and Construction) is hereby added Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to read as follows:

Chapter 16.55
WILDLAND-URBAN INTERFACE CODE

16.55.010. Title.

This chapter shall be known and may be cited and referred to as the “Wildland-Urban Interface Code for the City of Sunnyvale.”

16.55.020. Adoption by reference.

The 2024 International Wildland-Urban Interface Code in its entirety, as published by the International Code Council, Inc. and amendments to sections of the 2024 International Wildland-Urban Interface Code adopted by the State Building Standards Commission in California Code of Regulations (CCR) Title 24, Part 7, known as the 2025 California Wildland-Urban Interface Code, is hereby adopted by reference, with changes and modifications as hereinafter set forth, as the Wildland-Urban Interface Code of the City of Sunnyvale.

16.55.025. Administration.

2025 California Wildland-Urban Interface Code Chapter 1 Division II is hereby amended as follows:

101.2. Scope.

The provisions of this chapter shall apply to grading and to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolitions of every building or structure or any appurtenances connected or attached to such buildings or structures within the city, including all plumbing and drainage systems, mechanical systems, and electrical wiring and fire safety systems, or parts thereof, within and serving such building or structure, excluding therefrom the following:

- (1) Any building or structure located on real property belonging to:
 - (A) United States of America,
 - (B) State of California, or any political subdivision thereof,
 - (C) Any chartered city or non-chartered city, or
 - (D) Any school district, except when the proposed use is for non-classroom facilities;
- (2) Work located primarily in a public way;
- (3) Public utility towers and poles;
- (4) Mechanical equipment not specifically regulated in any of the codes;
and
- (5) Hydraulic flood control structures.

This code applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings located within a wildland-urban interface (WUI) area and contains minimum requirements to mitigate conditions that might cause a fire originating in a structure to ignite vegetation in the wildland-urban interface (WUI) area, and conversely, a wildfire burning in vegetative fuels to transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities or result in large property losses.

105.4.2 Time Limitation of Application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

In order to proceed with a project once an application has expired, a new application is required with new plan reviews fees and plans based on the code in effect at the time of the new application.

105.8 Permit Expiration. On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (See Health and

Safety Code Section 18938.5 and 18938.6.)

If a permit has expired, no work may be recommenced until a new permit is obtained. The fee for a new permit shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that the period of suspension or abandonment was not in excess of one year, in which case the permittee shall pay a new, full permit fee and plan review fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which to commence or complete work under the permit. Such requests must be submitted in writing. The building official is authorized to grant one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing, and justifiable cause shall be demonstrated.

105.11 Placement of Permit. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

108.2 Schedule of Permit Fees. ~~Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.~~ On buildings, structures, electrical, gas, mechanical, and plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required by the current fee resolution approved by the city council.

108.4. Work Commencing Before Permit Issuance. ~~Any person who commences any work before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority, which shall be in addition to the required permit fees.~~ Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the fee for such permit shall be double the fee established by the current fee resolution approved by the city council.

108.4.1. Investigation Fees: Work Without a Permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit a special investigation may be made before a permit may be issued for such work.

108.4.2 Fee. An investigation fee in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

108.6. Refunds. ~~The applicable governing authority is authorized to establish a refund policy.~~ The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when the permit is canceled and no work has been done under

a permit issued in accordance with this section.

The building official may authorize refunding of the plan review fee paid with an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except by written request filed by the original permittee and for building permits that are not expired.

108.7 Plan Review Fees. When a plan review is required a plan checking fee shall be paid at the time of submitting plans and specifications for checking.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at rate established in the current fee resolution adopted by the city council.

109.1.3 Reinspections. ~~To determine compliance with this code, the code official can cause a structure to be reinspected. A fee can be assessed for each inspection or reinspection where work for which inspection is called is not complete or where corrections called for are not made.~~

~~Reinspection fees can be assessed where the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the code official.~~

~~To obtain a reinspection, the applicant shall pay the reinspection fee as set forth in the fee schedule adopted by the jurisdiction. Where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.~~

A reinspection fee may be assessed as deemed necessary by the building official for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection records card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is required, or for deviating from plans requiring the approval of the building official.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required reinspection fees have been paid.

The reinspection fee shall be in accordance with the current fee resolution adopted by the city council.

109.1.5 Other Inspections. In addition to the inspections specified above

the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

109.1.6 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

109.3.7.1. Unlawful Acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. It is unlawful for any person, firm, or corporation to perform any grading, or to relocate, replace, erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the city, or to install or maintain any plumbing or drainage systems, or any mechanical systems, or any electrical wiring or fire safety systems in or about any building or structure or any appurtenances connected or attached to such buildings or structures in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the administrative or technical code. Each such person is guilty of a separate offense for each and every day during any portion of which a violation of any provision of any codes continued, or permitted by such person and shall be punishable accordingly.

SECTION 54. Chapter 16.56 REPEALED. Chapter 16.56 (Mobile Homes) of Title 16 (Buildings and Construction) is hereby repealed.

SECTION 55. STATUTORY REFERENCES, INCLUSIONS OF AMENDMENTS AND ADDITIONS. Whenever reference is made to any portion of this ordinance, or of any other chapter or section of the Sunnyvale Municipal Code, or of any other ordinance of the city of Sunnyvale, or of any law of the State of California, the reference applies to all amendments and additions now or thereafter made.

SECTION 56. INTERPRETATIONS. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be minimum requirements for the purposes set forth. The provisions of this ordinance, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments. This ordinance shall not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail as to such provisions which are less restrictive.

SECTION 57. FINDINGS. To the extent the changes and modifications set forth in this ordinance to the 2025 California Building Standards Codes are deemed more restrictive than the standards contained in the 2025 California Building Standards Codes, thus requiring findings describing local conditions that justify such modifications, the Council finds and determines that the changes are reasonably necessary because of local climatic, geologic, or topographic conditions and adopts the findings for local amendments to the California Building Code, 2025 Edition, attached as Exhibit "A" and incorporated herein by reference. The City Council further finds that the changes and modifications applicable to residential units are substantially equivalent to changes or modifications that were previously filed by the City and were in effect as of September 30, 2025, and further, are necessary to implement a local code amendment adopted to align with the General Plan, and that permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of the Climate Action Plan, the adopted greenhouse gas reduction strategy, as further detailed in Exhibit "A".

SECTION 58. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15308 (Class 8) Actions by Regulatory Agencies for Protection of the Environment and Section 15305 (Class 5) Minor Alterations in Land Use Limitations and Section 15061 of the CEQA Guidelines, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the changes adopted will have a significant effect on the environment.

SECTION 59. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 60. EFFECTIVE DATE. This ordinance shall be in full force and effect January 1, 2026.

SECTION 61. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, and adopted as
an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on
_____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

DAVID CARNAHAN

City Clerk

Date of Attestation: _____

LARRY KLEIN

Mayor

(SEAL)

APPROVED AS TO FORM:

REBECCA MOON

City Attorney

EXHIBIT A

FINDINGS

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. The City need not show that local conditions deviate from prevailing statewide conditions, only that the changes are “reasonably necessary because of local climatic, geological, or topographical conditions.” (Cal. Health & Safety Code § 17958.5; *ABS Inst. v. City of Lancaster* (1994) 24 Cal. App. 4th 285, 294.

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.

General Findings

1. Climatic

a. Climate Change. Over the next century, increasing levels of atmospheric Greenhouse gas (GHGs) concentrates are expected to result in global temperature increases, causing a variety of local changes, including extreme weather conditions, sea level rise, more frequent heat waves and extended period of drought. The City of Sunnyvale in particular will experience (1) adverse air quality impacts, exacerbated by local features such as a major highways; (2) extreme heat; (3) flooding from severe storms, exacerbated by Sunnyvale’s low elevation and high groundwater table; (4) wildfires and smoke, owing to the City’s proximity to the Santa Cruz Mountains; (5) drought; and (6) sea level rise, particularly in the City’s northern area bordering the San Francisco Bay. Each of these impacts, as a result of climate change, can have a local impact on the health, safety, and welfare of the City’s population, especially those without resources to purchase air conditioning, the elderly, disabled, or those with children. Natural gas combustion and gas-fueled appliances emit a number of air pollutants contributing to indoor and outdoor air quality impacts and atmospheric GHGs. Failure to address and substantially reduce pollutants and GHG emissions creates an increased risk to the health, safety and welfare of the City’s residents.

b. Precipitation. Precipitation in Sunnyvale ranges from 4.83 to 30.30 inches per year with an average of approximately 13.86 inches per year. Approximately 90% falls during the months of November through April and 10% from May through October. This area experienced a major drought in 2021 and a moderate drought the following year. The local climate is characterized by markedly delineated rainy and dry seasons, which tend to maximize the expansive characteristics of soil. Drought conditions tend to create more frequent and larger fire incidents

c. Relative Humidity. Humidity generally ranges from 60% during daytime to 80% at night. It drops to 20% during the summer months and occasionally drops lower.

d. Temperatures. Temperatures have been recorded as high as 108° F. Average summer

highs are in the 78°-82° F. range.

e. Winds. Prevailing winds are from the Northwest or Southeast. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5-mph to 15-mph range, gusting to 7.4 mph to 30 mph, particularly during the summer months. Extreme winds, up to 60 mph, have been known to occur.

f. Summary and Analysis. These local climatic conditions affect the acceleration, intensity and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another commonly found in Sunnyvale.

During wood shake and shingle roof fires, or exposure fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can literally force fires back into the building and can create a blowtorch effect, in addition to preventing "natural" ventilation and cross-ventilation efforts. In developed areas of the City, fires can occur in buildings, rubbish, vehicles, and vegetation on vacant lots.

Local climatic conditions along with the pollutants and GHGs generated from residential and non-residential structures require exceeding the energy standards for building construction established in the 2025 California Buildings Standards Code. The local Energy Code Amendments adopted in this ordinance will ensure that existing buildings reduce their consumption of fossil-fuel-based energy and avoid exacerbating the hazards posed by local climatic conditions.

IMPACTS:

[California Building Code]

[California Residential Code]

[California Wildland-Urban Interface Code]

[California Energy Code]

[California Green Building Standards Code]

[Existing Building Code]

[International Property Maintenance Code]

2. Geological, Geographic and Topographic

a. Geographic Location. Sunnyvale is located in the Santa Clara Valley. It has taken its place as the second largest city in the "heart of the Silicon Valley," the center for an expanding and changing technology industry.

b. Seismic Location. Sunnyvale is situated on alluvial soils between San Francisco Bay and the San Andreas Fault zone. The City's location makes it particularly vulnerable to damage to taller and older structures caused by seismic events. The relatively young geological processes that have created the San Francisco Bay Area are still active today. Seismically, the City sits between two active earthquake faults (San Andreas and the Hayward/Calaveras) and numerous potentially active faults.

c. Seismic and Fire Hazards. In the event of a seismic occurrence, many areas of the city can expect damage or collapse of buildings due to Sunnyvale's proximity to active earthquake faults. Secondary impacts could include ruptured gas lines, collapsed power lines, and breaks in the water distribution system. Gypsum wallboard and exterior portland cement plaster have

performed poorly during recent California seismic events. The shear values for gypsum wallboard and portland cement stucco contained in the code are based on mono-directional testing. It is appropriate to limit the use of these products until cyclic loading testing are performed and evaluated. Fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself.

Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number, should a significant seismic event occur. Public safety resources would have to be prioritized to mitigate the greatest threat, and may likely be unavailable for smaller single dwelling or structure fires.

IMPACTS:

[California Building Code]

[California Residential Code]

[California Fire Code]

[Existing Building Code]

Other variables may tend to intensify the situation:

1. The extent of damage to the water system;
2. The extent of isolation due to bridge and/or freeway overpass collapse;
3. The extent of roadway damage and/or amount of debris blocking the roadways;

4. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
5. The availability of timely mutual aid or military assistance;
6. The large portion of dwellings with wood shingle roof coverings could result in conflagrations.

d. Size and Population. The City has an area over 24 square miles in size and a population estimated to be 156,234.

e. Development. Sunnyvale is a community which is projected to add 20,000 new residential units within the next twenty years, primarily in multi-family configurations, for which building security is a matter of acute importance.

IMPACTS

[California Fire Code]

[California Building Code]

[California Residential Code]

f. Public Safety Department. Sunnyvale utilizes a public safety (joint police/fire) department with personnel who function as both fire suppression and police officers, resulting in fewer personnel than otherwise would be required for a city of its size. A premium is therefore placed on built-in physical techniques and devices as crime preventative measures. It is therefore also imperative that fire detection and suppression occur as quickly as possible to minimize loss of property and life. Added protection of fire sprinkler systems and other fire protection measures will supplement normal public safety response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. For these reasons the most stringent provisions are required concerning fire detection, alarm and suppression systems.

g. Industry. Sunnyvale is the site of many manufacturing and research industries which use toxic, flammable and explosive chemicals and materials in potentially hazardous combinations. Special precautions thus are required to minimize the risk of damage to adjoining persons and properties.

IMPACTS

[California Plumbing Code]

[California Fire Code]

[California Mechanical Code]

[California Electrical Code]

[California Building Code]

h. Mixed Industrial/Residential Uses. High-density residential uses are located near high-risk industries, necessitating special precautions such as complex fire protection designs and structural considerations.

IMPACTS

[California Fire Code]

[California Building Code]

[California Residential Code]
[Wildland-Urban Interface Code]
[California Plumbing Code]
[California Mechanical Code]
[California Electrical Code]

i. **Transportation.** Sunnyvale is divided by an interstate highway, which potentially could affect response times of fire suppression equipment necessitating the use of advanced fire suppression systems and fire extinguishing systems.

IMPACT:

[California Fire Code]
[California Building Code]

j. **Soil Conditions and Topography.** Sunnyvale lies at the southern end of San Francisco Bay and is built atop the alluvial deposits that surround the margins of the Bay. The alluvium was created by the flooding of the many streams emptying into the San Francisco Bay depression, and from intermittent seawater inundation that has occurred over the last 2 or 3 million years. The areas closest to the Bay are overlain by unconsolidated fine silty clay, known as "Bay Mud" which varies in thickness from a few feet to as much as 30 feet. Generally, the older, more stable alluvium is to the south and the younger, less stable material is to the north. Bedrock lies beneath the area at depths generally 300' or more. The topography is essentially flat, dropping from an elevation of 300 feet to sea level. The slope across the City is in a northeasterly direction from the high point in the southwest corner to the Bay. The average slope is approximately 0.9%.

The Silicon Valley is within a very active seismic area and local soil conditions can be highly expansive (clay soils). The Northridge earthquake provided hundreds of examples of damage to plain concrete footings. This type of damage is extremely expensive to repair, in contrast to the small expense of providing nominal footing reinforcement. Footing reinforcement is also necessary to prevent damage due to pumping action caused by local expansive soils, which shrink and swell during seasonal drying and wetting conditions.

Most of the surface soils in the Silicon Valley are relatively young and unconsolidated sedimentary materials formed from a wide variety of parent materials. The varying chemical composition, degree of weathering, and the relatively acid environment have created soils of varying types, which are particularly corrosive in nature. Much of the surface soil in the Silicon Valley is highly expansive (i.e., shrink-swell behavior) and has low bearing strength.

IMPACTS

[California Building Code]
[California Residential Code]

k. **Buildings, Landscaping and Clearances.** Many of the newer large buildings and building complexes are of designs which greatly limit visibility and approach to and accessibility by Public Safety resources. Many houses and other buildings with wood roofs and/or sidings are so close together that fire may readily spread from one to another by both radiation and convection.

IMPACTS:

[Wildland-Urban Interface Code]
[California Fire Code]

l. Business & Industry Centers. The current clusters of high-tech, bio-tech, manufacturing and similar companies create additional demands on water, sewer, and electrical facilities. These businesses offer opportunities and access to innovative products, services and technology, and may also be more likely to utilize such products, services, and technology. For example, the more businesses, the greater the demands on water, sewer and power facilities during peak midday periods, which could lead to shortages or service disruptions, or use of services and technology impacting health and safety. Similarly, the availability of high-tech and similar businesses creates unique access to innovative products and technology to reduce energy and water use to mitigate business demands.

IMPACTS:

[California Plumbing Code]
[California Mechanical Code]
[California Electrical Code]
[California Building Code]
[Existing Building Code]

m. Population. Sunnyvale has a current and rapidly growing population (both resident and daytime work) that impacts fire and police service. With more people, there is more traffic congestion during a greater part of the day, which not only slows emergency vehicle response but may also restrict access to fire and crime scenes. Similarly, more emergency incidents requiring a public safety response occur with a larger population, created a greater likelihood of simultaneous emergency incidents requiring a public safety response. This results in longer response times and fewer fire companies or police units to respond to emergencies within the community.

IMPACTS:

[California Fire Code]
[Wildland-Urban Interface Code]

n. Summary and Analysis. The stated local geological, geographic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Department of Public Safety and have a negative impact upon the response capability of public safety resources. Lying beneath Sunnyvale are thick layers of sand, gravel and clay, known as alluvium, which amplify the effects of earthquakes. Based on the combination of these conditions, local experience from the damage caused in Santa Clara Valley by the 1906 earthquake and the poor performance of alluvial deposits during earthquakes, this area could be subject to severe structural damage or failure, multiple major fires and additional fire dangers, and place a great strain on police, fire and rescue resources. A seismic event could also trigger

widespread damage to hazardous material storage vessels and cause substantial hazardous material releases into the environment.

The possibility of fire ignition increases as earthquake shaking increases. Fire due to broken gas lines or short circuits of electrical systems is a major established hazard associated with earthquakes. Most buildings in Sunnyvale are partially or entirely combustible which increases the City's vulnerability to fire. As discussed above, traffic conditions may slow or impede emergency response in any given fire or hazardous materials event, particularly in the event of a seismic event or other natural disaster. Thus, with the potential inability of emergency services to guarantee rapid response, it is necessary to mitigate this problem by requiring additional protections such as built-in fire protection systems, which will provide for early detection and additional fire control.

Impacts:

[California Building Code]

[California Residential Code]

[California Wildland-Urban Interface Code]

[California Fire Code]

Conclusion and Findings.

Local climatic, geologic, and topographic conditions impact crime prevention efforts and the frequency, spread, acceleration, intensity and size of fires involving buildings, strength of building structural systems to resist local hazards and ability to deliver uninterrupted services in the community. The potential for significant damage arising from these conditions makes it reasonably necessary to modify the uniform codes to mitigate the effects of the above conditions.

Therefore, the City Council finds that (with the exception of changes justified on administrative grounds), the local amendments of the 2025 California Building Codes are justified by all of the aforementioned general findings.

ADDITIONAL FINDINGS (AB 130)

These findings are made in compliance with AB 130 (2025), specifically those provisions codified at Health and Safety Code Section 17958(b) with respect to those local amendments applicable to residential units.

The City Council finds that said changes or modifications are substantially equivalent to changes or modifications that were previously filed by the City Council and the City of Sunnyvale pursuant to Ordinance No. 3244-25 which ordinance was in effect on September 25, 2025, and previously adopted local amendments. (Health and Safety Code Section 17958(b)(1).)

The City Council further finds that the changes or modifications are necessary to implement a local code amendment that is adopted to align with a general plan approved on or before June 10, 2025, and that permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy. (Health and Safety Code Section 17958(b)(5).)

a. The City's General Plan was adopted on July 26, 2011. Chapter 7, Environmental Management, outlines the City's air quality goals. **Goal EM-11 – Improved Air Quality: Improve**

Sunnyvale's Air Quality and Reduce the Exposure of its Citizens to Air Pollutants.

b. Sunnyvale Municipal Code Section 16.43.070 adds the California Green Building Standards Code Section A4.204.1.1. The added section requires residential alterations addressing the end-of-life air conditioner system to be replaced with a heat pump system. The existing gas furnace can continue to be used. The strategy increases energy efficiency and reduces greenhouse gases while maintaining mixed-fuel options for the homeowner.

c. The City adopted the Climate Action Playbook (adopted in 2014) to provide a guide that shows how the City plans to reduce overall greenhouse gas emissions to align with the State's greenhouse gas reduction targets.