

AMENDMENTS TO PART 2 – FIRE DEPARTMENT

SECTION 35. Section 2.020 of Part 2 of Resolution No. 72737 is amended as follows:

2.020 **HOURLY RATE**

An hourly rate shall be charged for all services, unless the charge for the service is already included in the permit fee, as specified in this Resolution. The hourly rate for Development Related services shall be \$163.00 for Plan Check and \$182.50 for Inspection per half hour or fraction thereof and the rate for Non-Development Related services, except Records services, shall be \$121.00 for each half hour or fraction thereof.

Charges for inspections and plan reviews performed during normal duty hours; i.e. between 8:00 a.m. and 5:00 p.m., Monday through Friday, exclusive of City holidays, are included in all permit fees. If an applicant requests cancellation of a scheduled inspection at least 5 business days prior to the scheduled inspection day, no fee is charged. If the scheduled inspection is cancelled within 5 business days, but at least 2 business days prior to the scheduled inspection day, the applicant is charged the half hour rate. If the inspection is cancelled within 2 business days of the inspection day, the inspection fee is forfeited.

SECTION 36. Section 2.035 of Part 2 of Resolution No. 72737 is amended as follows:

2.035 **FEE REFUNDS**

Requests for refunds that are not a result of erroneous billing must be submitted to the Fire Marshal in writing.

The Fire Marshal or Assistant Fire Marshall may authorize a full refund of any fee paid under this resolution which was erroneously paid or collected.

The Fire Marshal or Assistant Fire Marshall may authorize a refund of no more than fifty percent (50%) of the annual permit fee when a facility goes out of business.

The Fire Marshal or Assistant Fire Marshal may authorize the refunding of not more than eighty percent of the permit fee paid when no work has been done under a permit submittal.

The Fire Marshal or Assistant Fire Marshal may authorize the refunding of not more than eighty percent of the plan review fee paid when an application is withdrawn or canceled before any plan reviewing has been started.

3.	Fire Sprinkler System – Tenant Improvement (hydraulic calculations not included)	\$335.78 base fee for up to 25 sprinklers, plus \$91.28 for each additional group of up to 50 sprinklers. Each additional hydraulic calculation is \$163.00 plus Record Retention Surcharge	\$865.05 for up to 25 sprinklers, plus \$357.70 for each additional group of up to 50 sprinklers plus Record Retention Surcharge
4.	Fire Sprinkler System – NFPA 13D System	\$489 plus Record Retention Surcharge	\$730 plus Record Retention Surcharge
5.	Fire Sprinkler System – Pre-Action System (one hydraulic calculation included)	\$652 base fee for up to 50 sprinklers, plus \$91.28 for each additional group of up to 50 sprinklers. Each additional hydraulic calculation is \$81.50 plus Record Retention Surcharge	\$1,460.00 for up to 50 sprinklers, plus \$379.60 for each additional, 1-50 sprinklers plus Record Retention Surcharge
6.	Standpipe System	\$407.50 base fee for up to 20 outlets, plus \$91.28 for each additional group of up to 10 outlets plus Record Retention Surcharge	\$1,233.70 for up to 20 outlets, plus \$365 for each additional group of up to 10 outlets plus Record Retention Surcharge
7.	Fire Pump System	\$652 for the first pump, plus \$326 for each additional pump plus Record Retention Surcharge	\$1,642.50.00 for the first pump, plus \$1,460.00 for each additional pump plus Record Retention Surcharge

13. Emergency Responder Communications Enhancement System (ERCES) – formerly Emergency Responder Radio Coverage (ERRC)	\$326 per hour. Minimum 2 hours for buildings up to 4 stories (below grade levels included). Minimum 3 hours for buildings 5-7 stories. Minimum 4 hours for high-rise buildings (8 stories or more) plus Record Retention Surcharge	\$365 per hour. Minimum 2 hours for buildings up to 4 stories (below grade levels included). Minimum 3 hours for buildings 5-7 stories. Minimum 8 hours for high-rise buildings (8 stories or more) plus Record Retention Surcharge
14. Firefighter Air Replenishment System (FARS)	\$652 for 2 hours, per system plus \$326 each additional hour plus Record Retention Surcharge	\$1,460 for 4 hours, per system plus Record Retention Surcharge
15. Deferred Architectural Engineering Submittals	\$326 first 1 hour (minimum) per project, plus \$326 each additional hour plus Record Retention Surcharge	\$365 each hour as required, plus \$365 each additional hour plus Record Retention Surcharge
16. Fire Site Review (Outside Agency Referral – DSA, CSFM, etc.)	\$326 first 1 hour (minimum) per project, plus \$326 each additional hour plus Record Retention Surcharge	\$365 each hour as required plus Record Retention Surcharge
17. Fire Smoke Control	\$326 first 1 hour (minimum) per project, plus \$326 each additional hour plus Record Retention Surcharge	\$365 each hour as required, plus \$365 each additional hour plus Record Retention Surcharge
18. Record Retention Surcharge	<u>5% of the permit and inspection fees</u>	<u>5% of the permit and inspection fees</u>

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| 2. | <p>Installation or Alteration of an Inert Compressed Gas System</p> <p>Note: Inert compressed gas systems installed or altered in conjunction with another gas system shall not be required to have a separate permit. Inert compressed gas systems do not require a closure or removal permit.</p> | <p>\$326 for the first system, plus \$163 per additional system plus Record Retention Surcharge</p> | <p>Hourly Rate (one hour minimum) plus Record Retention Surcharge</p> |
| 3. | <p>Installation or Alteration of Ozone Generating Equipment</p> | <p>\$652 per equipment or system, plus \$326 for each additional system plus Record Retention Surcharge</p> | <p>Hourly Rate (one hour minimum) plus Record Retention Surcharge</p> |
| 4. | <p>Plant Extraction System</p> | <p>\$652 for the first system, plus \$326 for each additional system plus Record Retention Surcharge</p> | <p>Hourly Rate (one hour minimum) plus Record Retention Surcharge</p> |
| 5. | <p>Energy Storage Systems including Battery Systems and Fuel Cell Power</p> | <p>\$652 for the first system, plus \$326 for each additional system plus Record Retention Surcharge</p> | <p>Hourly Rate (one hour minimum) plus Record Retention Surcharge</p> |

10,001 to 20,000	8	\$2,608.00	plus 0.0006 hour per sq. ft. over 10,000
20,001 to 40,000	14	\$4,564.00	plus 0.0005 hour per sq. ft. over 20,000
Over 40,000	24	\$7,824.00	plus 0.0005 hour per sq. ft. over 40,000
High-Rise Building			1.1 times total plan check fee

3. Commercial & Industrial & Garage – New Buildings (Shell) & Additions

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	6	\$1,956.00	N/A
10,001 to 20,000	6	\$1,956.00	plus 0.0005 hour per sq. ft. over 10,000
20,001 to 40,000	11	\$3,586.00	plus 0.0004 hour per sq. ft. over 20,000
Over 40,000	19	\$6,194.00	plus 0.0004 hour per sq. ft. over 40,000
High-Rise Building			1.1 times total plan check fee

4. Tenant Improvement, Alteration and Interior Finish (All Occupancies except R3)

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	2.5	\$ 815.00	N/A
10,001 to 20,000	4	\$1,304.00	plus 0.0003 hour per sq. ft. over 10,000
20,001 to 40,000	7	\$2,282.00	plus 0.00025 hour per sq. ft. over 20,000
Over 40,000	12	\$3,912.00	plus 0.00025 hour per sq. ft. over 40,000

7. Miscellaneous Use with No Specific Area

<u>Use</u>	<u>Base Fee</u>
Antenna	\$ 652.00
ATM	\$ 326.00
Canopy Structure	\$ 489.00

2. Multi-Family Buildings

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	2	\$ 730.00	N/A
10,001 to 20,000	2	\$ 730.00	plus 0.0003 hour per sq. ft. over 10,000
20,001 to 40,000	5	\$ 1,825.00	plus 0.0002 hour per sq. ft. over 20,000
Over 40,000	9	\$ 3,285.00	plus 0.0002 hour per sq. ft. over 40,000
High-Rise Building			1.2 times total inspection fee

3. Commercial, Industrial & Garage – New Buildings (Shell) & Additions

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	3	\$ 1,095.00	N/A
10,001 to 20,000	3	\$ 1,095.00	plus 0.0001 hour per sq. ft. over 10,000
20,001 to 40,000	4	\$ 1,460.00	plus 0.000125 hour per sq. ft. over 20,000
Over 40,000	6.5	\$ 2,372.50	plus 0.000125 hour per sq. ft. over 40,000
High-Rise Building			1.2 times total inspection fee

4. Tenant Improvement, Alteration and Interior Finish (All Occupancies except R3)

<u>Area in Square Feet</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
1 to 10,000	1	\$ 365.00	N/A
10,001 to 20,000	2.75	\$ 1,003.75	plus 0.0001 hour per sq. ft. over 10,000
20,001 to 40,000	4	\$ 1,460.00	plus 0.000125 hour per sq. ft. over 20,000
Over 40,000	6.5	\$ 2,372.50	plus 0.000125 hour per sq. ft. over 40,000

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| *13. | Preliminary Project Site Review | Hourly Rate (one hour minimum) |
| *14. | Hydrant Flow Test (to determine current information of fire flow) | Hourly Rate (three hour minimum) |
| *15. | Variances or Alternate Materials and Methods | Hourly Rate (three hour minimum) |
| *16. | <i>Temporary Certificate of Occupancy</i> | <i>Hourly Rate (two hour minimum)</i> |
| *17. | Buildings, Structures, and Fire Systems Installed without a Permit | Two (2) times the Plan Review and Inspection Fees |
| *18. | Expedited Plan Check | Hourly Rate (three hour minimum) |
| 19. | Resubmittal or Revision Processing | Hourly Rate (one-half hour minimum) |
| 20. | Failure to Notify for Final Inspection | Hourly Rate |

<u>Occupancy Group</u>	<u>Fee per Facility</u>
1. Group 1: A1, A2, H1, H3, H4, H5, I3, I4, S2, and U	\$620.00 plus hourly rate if initial inspection surpasses 2 hours plus Record Retention Surcharge
2. Group 2: A3, A4, A5, B, E, F1, F2, H2, I2, M, R1, R3, R3.1, and S1	\$704.00 plus hourly rate if initial inspection surpasses 2.5 hours plus Record Retention Surcharge
* except for Public Schools	
3. Group 3: R2, R2.1 and R4	\$850.00 plus hourly rate if initial inspection surpasses 3 hours plus Record Retention Surcharge
4. Group 9: R1 High-Rise	\$1,725.00 plus hourly rate if initial inspection surpasses 6 hours plus Record Retention Surcharge
5. Group 18: B High-Rise	\$2,505.00 plus hourly rate if initial inspection surpasses 9 hours plus Record Retention Surcharge
8. <i>Record Retention Surcharge</i>	<u>5% of the permit and inspection fees</u>

SECTION 44. Item II.B of Section 2.050 of Part 2 of Resolution No. 72737 is amended as follows:

B. Hazardous Materials Permits

A Hazardous Materials permit shall be obtained for all hazardous materials (regardless of quantity) regulated by the San José Fire Code, SJMC 17.12 and/or the Hazardous Materials Storage Ordinance, SJMC 17.68 unless identified in the Minimum Reportable Threshold Quantity Table, see Section B.1 below.

The fee for each Quantity Range as set forth in Section B.3 is \$239.00 plus Record Retention Surcharge.

EXCEPTIONS:

- Gases: Liquefied Petroleum Gas (LP-gas, LPG) containers, other than stationary systems.

9 MISCELLANEOUS HAZARDOUS MATERIALS - SOLID AND LIQUID

1. Minimum Reportable Threshold Quantity (MRTQ) *

Unless otherwise required by the Fire Marshal, facilities storing only one of the following are exempt from Hazardous Materials Registration Form reporting and permit fee requirements:

- a) five (5) gallons or less of Class I flammable liquids
- b) ten (10) gallons or less of Class II or III-A combustible liquids
- c) ten (10) gallons or less of waste oil
- d) solvents parts washer, with a capacity not to exceed thirty (30) gallons of combustible liquid
- e) five (5) gallons or less of corrosive liquids
- f) ten (10) pounds or less of corrosive solids
- g) one (1) oxyacetylene torch with no spare acetylene cylinders, which must be #4 or less (no more than 150 cubic feet).

All other code requirements for the materials identified above shall remain in effect and shall have compliance maintained.

3. Standard Hazardous Materials Permit Fee

To determine the permit fee for facilities required to report on the long form Hazardous Materials Business Plan (HMBP), except those that qualify under B.4 below:

- a) Select the hazard class for the material stored based on the primary hazard class.
- b) Aggregate all the materials in that hazard class by category (solid, liquid, or gas).
- c) Select the appropriate quantity range for that hazard class in each category (solid, liquid, or gas).
- d) Add all quantity ranges in all classes.
- e) Multiply the total number of quantity ranges by the fee of \$239.00 per quantity range plus Record Retention Surcharge.
- f) Except for Public Schools which shall pay \$0 permit fee.

or additional plan review required by changes, additions, or revisions to previously approved plans will be charged an additional fee at the service fee rate.

A separate permit for a specific period of time shall be obtained for each location at which such operations are performed. If a permit that includes inspection and/or plan review has been obtained for a specific period of time at a specific location, the fees for additional permits for the same period of time and location may be reduced to \$321.00.

A. Permits That Include Plan Review and Inspection Services

	<u>Permits</u>	<u>Permit Fee</u>
1.	Explosive or Blasting Agents (temporary manufacture, possession, storage or sale)	\$813.00 plus hourly rate if review surpasses 2 hours
2.	Fireworks	\$813.00 plus hourly rate if review surpasses 2 hours
3.	Mall, Covered (Special Use)	\$813.00 plus hourly rate if review surpasses 2 hours
4.	Pyrotechnical Special Effects Material	\$813.00 plus hourly rate if review surpasses 2 hours
5.	Tents, Canopies & Temporary Membrane Structures	\$813.00 plus hourly rate if review surpasses 2 hours

B. Permits Which Include Plan Review or Inspection

	<u>Permits</u>	<u>Permit Fee</u>
1.	Candles & Open Flames in Assembly Areas (inspection only included)	\$569.00 plus hourly rate if review surpasses 1 hour
2.	Ovens, Industrial Baking or Drying (inspection only included)	\$569.00 plus hourly rate if review surpasses 1 hour
3.	Parade Floats (inspection only included)	\$569.00 plus hourly rate if review surpasses 1 hour

- 13.* Hydrant Processing Fee Hourly Rate
(minimum ½ hour)
- 14.* Late Charges Ten percent (10%) of
unpaid invoice if not paid
by due date. Additional
ten percent (10%) of
outstanding balance if
thirty (30) days past due.

SECTION 47. Part 2 of Resolution No. 72737 is amended to add Section 2.090 as follows:

- 2.090 MISCELLANEOUS – ANCILLARY EMERGENCY RESPONSE SERVICES FEE
 - Ambulance Transport and User Fees Fee as established by the County of Santa Clara Schedule of Ambulance and User Fees, as may be amended

AMENDMENTS TO PART 3 – PLANNING, BUILDING AND CODE ENFORCEMENT DEPARTMENT

SECTION 48. Section 3.010 of Part 3 of Resolution No. 72737 is amended as follows:

- 3.010 The filing fee for a petition for the (PD) Planned Development zoning, rezoning, or rezoning of any property pursuant to Chapter 20.120 of the San José Municipal Code shall be charged as indicated by Table A:

Table A - Residential

<u>Category</u>	<u>Characteristics</u>	<u>Fee</u>
I	1 to 24 dwelling units for property on slopes of less than 5% and for property not within 300 feet of top of the bank of a stream bed or vegetative edge:	
	Up to two (2) dwelling units.	\$12,404.00
	For each additional unit above two (2): units 3 through 24	\$121.00 per dwelling unit