



San José Fire Department

Office of the Fire Marshal

AMENDMENTS TO PART 2 – FIRE DEPARTMENT

SECTION 40. 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 \$115.00 for Plan Check and \$129.50 for Inspection per half hour or fraction thereof and the rate for Non-Development Related services, except Records services, shall be \$94.00 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 a requester fails to cancel a requested inspection at least 24 hours prior to the scheduled time for the inspection, a cancellation fee shall be charged in an amount equivalent to one hour at the hourly rate.

SECTION 41. Section 2.030 of Part 2 of Resolution No. 72737 is amended as follows:

2.030 SERVICES PERFORMED OUTSIDE NORMAL DUTY HOURS

All after-hours inspections, plan reviews and other Development Related services shall be charged at the hourly rate for a minimum of three (3) hours. "After-hours" shall mean a task, except call-back inspections, requested by the applicant, to be performed outside normal duty hours. After-hours inspections for Non-Development Related services shall be charged at the hourly rate for a minimum of one (1) hour.

Call-back Inspections shall be charged a minimum of three (3) hours at the service fee rate. "Call-back" shall mean a task, requested by the applicant, that requires the inspector or engineer to work after completing the scheduled shift and departing from the place of employment Monday through Friday, on weekends, or on holidays. The maximum duration shall be eight (8) hours per day.

SECTION 42. Item I of Section 2.040 of Part 2 of Resolution No. 72737 is amended as follows:

2.040 DEVELOPMENT RELATED SERVICES

I. INSTALLATION, REMOVAL OR ALTERATION PERMITS

The installation, removal or alteration permits listed below shall be obtained when required by the Fire Department.

A. Fire Protection Systems

The permit fees below include charges for plan reviews and inspections. Time in excess of one-half (½) hour spent on plan reviews and inspections will be billed at the hourly rate.

	<u>Permit</u>	<u>Plan Review Fee</u>	<u>Inspection Fee</u>
1.	Underground Piping System	\$230 for 200 feet of pipe, plus \$0.115 per foot over 200 feet	\$518 for the first 200 feet of pipe, plus \$0.518 per foot over 200 feet
2.	Overhead Sprinkler System	\$230 for up to 5,000 square-feet, plus \$0.009 per additional square foot over 5,000	\$518 for up to 5,000 square-feet, plus \$0.0518 per square-foot over 5,000
3.	Standpipe System	\$230, plus \$23.00 per outlet over 20 outlets	\$518, plus \$51.80 per outlet over 20 outlets

4.	Fire Pump	\$460 per pump, plus hourly rate if review surpasses 2 hours	\$1,036 per pump, plus hourly rate if inspection surpasses 4 hours
5.	Fire Alarm System	\$230, plus \$2.30 per device over 12 devices	\$259, plus \$22.02 per device over 8 devices and \$2.59 per appliance over 4 appliances
6.	Fire Suppression Detection or Monitoring System	\$230, plus \$2.30 per device over 12 devices	\$259, plus \$22.02 per device over 8 devices and \$2.59 per appliance over 4 appliances
7.	Fixed Extinguishing Systems	\$230 per hour of review	\$518, plus \$25.90 per nozzle over 20 nozzles
9.	Emergency Responder Radio Coverage (ERRC)	\$230 per hour. Minimum 2 hours for buildings up to 4 stories. Minimum 3 hours for buildings 5-7 stories. Minimum 4 hours for high-rise buildings (8 stories or more)	\$259 per hour. Minimum 2 hours for buildings up to 4 stories. Minimum 3 hours for 5-7 stories. Minimum 4 hours for high-rise buildings (8 stories or more)
10.	Firefighter Breathing Air Replenishment	\$460 for 2 hours, per equipment or system	\$1,036 for 4 hours, per equipment or system

B. Hazardous Materials Storage Systems

The permit fees below include charges for plan review and inspections performed during normal duty hours. Review of plans previously disapproved 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. Inspections to verify

2.	Installation or alteration of an Inert Compressed Gas System	\$230 for the first system, plus \$115 per additional system	Hourly Rate (one hour minimum)
<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>			
3.	Installation or alteration of Ozone Generating Equipment	\$460 per equipment or system	Hourly Rate (one hour minimum)
4.	Closure of a facility storing, using, or handling hazardous materials that require submittal of a closure plan	\$460, plus hourly rate if review surpasses 2 hours	Hourly Rate (one hour minimum)

SECTION 43. Item II of Section 2.040 of Part 2 of Resolution No. 72737 is amended as follows:

2.040 DEVELOPMENT RELATED SERVICES

II. SPECIAL PLAN REVIEW, INSPECTIONS AND SERVICE FEES

A. Architectural Plan Check Fee

The fees set forth in Table A apply to all construction requiring a building permit, and are based on an hourly rate of \$230.00 per hour. The “Modifier” is the additional charge based on square footage or type of occupancy, and complexity of the project, as applicable. Where the modifier is expressed in hours per square foot, the additional fee is the modifier multiplied by \$230.00. The Base Fee includes an unlimited plan review time for the first review cycle and two additional hours in the second cycle. Additional fees are only assessed if the review process exceeds two hours in the second review cycle and the total initial hours covered by the base fee are exceeded.

Table A

1. R3 Occupancies

<u>Type</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
Custom Single Family Dwelling	2	\$460.00	N/A
Single Family Tracts	3	\$690.00	N/A

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	8	\$1,840.00	N/A
10,001 to 20,000	8	\$1,840.00	plus 0.0006 hour per sq. ft. over 10,000
> 20,000	14	\$3,220.00	plus 0.0005 hour per sq. ft. over 20,000
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	\$1,380.00	N/A
10,001 to 20,000	6	\$1,380.00	plus 0.0005 hour per sq. ft. over 10,000
> 20,000	11	\$2,530.00	plus 0.0004 hour per sq. ft. over 20,000
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 5,000	2.5	\$575.00	N/A
5,001 to 20,000	2.5	\$575.00	plus 0.0003 hour per sq. ft. over 5,000

> 20,000 7 \$1,610.00 plus 0.00025 hour per sq. ft. over 20,000

7. Miscellaneous Use with No Specific Area

<u>Use</u>	<u>Base Fee</u>
Antenna	\$460.00
ATM	\$345.00
Canopy Structure	\$345.00
Cooling Tower	\$345.00
Damage Repair	\$345.00
Demising Walls Only	\$345.00
Demo Interior Walls	\$345.00
Façade Changes	\$345.00
Fences/Gates	\$345.00
Fountains	\$345.00
HVAC Systems	\$460.00
Occupancy Changes	\$345.00
Occupancy Load Changes	\$460.00
Racks	\$575.00
Seismic Upgrades	\$345.00
Spray Booth	\$575.00
Swimming Pools	\$460.00
Tools	\$460.00

B. Architectural Inspection Fees

The inspection fees set forth in Table B apply to all construction requiring a building permit, and are based on an hourly rate of \$259.00 per hour. The "Modifier" is the additional charge based on square footage or type of occupancy, as applicable. Where the modifier is expressed in hours per square foot, the additional fee is the modifier multiplied by \$259.00. The total hours purchased (fee/\$259.00) will limit the available inspection service allowed.

Table B

1. R3 Occupancies

<u>Type</u>	<u>Base Hours</u>	<u>Base Fee</u>	<u>Modifier</u>
Custom Single Family Dwelling	1	\$259.00	N/A
Single Family Tracts	2	\$518.00	plus 0.25 hour per unit over 6 units

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	\$518.00	N/A
10,001 to 20,000	2	\$518.00	plus 0.00025 hour per sq. ft. over 10,000
> 20,000	5	\$1,295.00	plus 0.0002 hour per sq. ft. over 20,000
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	\$777.00	N/A
10,001 to 20,000	3	\$777.00	plus 0.00015 hour per sq. ft. over 10,000
> 20,000	4	\$1,036.00	plus 0.000125 hour per sq. ft. over 20,000
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 5,000	1	\$259.00	N/A
5,001 to 20,000	2	\$518.00	plus 0.00015 hour per sq. ft. over 5,000
> 20,000	4	\$1,036.00	plus 0.000125 hour per sq. ft. over 20,000

7. Miscellaneous Use with No Specific Area

<u>Use</u>	<u>Base Fee</u>
Antenna	\$259.00
ATM	\$259.00
Canopy Structure	\$259.00
Cooling Tower	\$259.00

Damage Repair	\$259.00
Demising Walls Only	\$259.00
Demo Interior Walls	\$259.00
Façade Changes	\$259.00
Fences/Gates	\$259.00
Fountains	\$259.00
HVAC Systems	\$259.00
Occupancy Changes	\$259.00
Occupancy Load Changes	\$259.00
Racks	\$259.00
Seismic Upgrades	\$259.00
Spray Booth	\$259.00
Swimming Pools	\$259.00
Tools	\$259.00

C. Other Fees

- 5. Architectural Special Tenant Improvements Plan Check 1.5 times the Plan Check Fee
- 8. Expedited Inspection Service Hourly Rate (three hour minimum)
- 10. After-hours Inspection and Plan Review Hourly Rate (three hour minimum)
- 18. Expedited Plan Check Hourly Rate (three hour minimum)

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

2.050 NON-DEVELOPMENT RELATED FEES

I. ANNUAL RENEWABLE OPERATING PERMITS

A. Occupancy Permits

Fees for facilities required to obtain Fire Safety permits will be based on the business type of facility, as classified by the California Building Code (CBC), and modified by the City of San Jose Fire Department. All outstanding fees shall be paid prior to the issuance of the permit certificate.

Facilities are grouped into Occupancy Groups based on average inspection times. Fees are then computed using the same average inspection times and the average number of permits for the group.

<u>Occupancy Group</u>	<u>Fee per Facility</u>
1. Group 1: A1, A2, H1, H3, H4, H5, I3, I4, S2, and U	\$442.00 plus hourly rate if initial inspection surpasses 2 hours
2. Group 2: A3, A4, A5, B, E, F1, F2, H2, I2, M, R1, R3, R3.1, and S1	\$502.00 plus hourly rate if initial inspection surpasses 2.5 hours
* except for Public Schools	
3. Group 3: R2, R2.1 and R4	\$604.00 plus hourly rate if initial inspection surpasses 3 hours
4. [Reserved]	
5. [Reserved]	
6. Group 9: R1 High-Rise	\$1,224.00 plus hourly rate if initial inspection surpasses 6 hours
7. Group 18: B High-Rise	\$1,778.00 plus hourly rate if initial inspection surpasses 9 hours
8. Record Retention Surcharge	5% of the permit and inspection fees (applies to each permit listed above)
9. Public School (E) Occupancies	\$0

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 \$179.00.

EXCEPTIONS:

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

- Nitrogen, helium, neon, argon, krypton, xenon, carbon dioxide, compressed air, and sulfur hexafluoride, below the San José Fire Code Permit Quantities, in either compressed gas phase or cryogenic state.
- Division 6.2: Infectious Substance
- Class 7: Radioactive

The hazardous materials permit fee shall be computed as described below:

- Stationary installations of Liquefied Petroleum Gas (LP-gas, LPG) shall be charged the equivalent of two Quantity Ranges.
- Oxygen, nitrogen, helium, neon, argon, krypton, xenon, carbon dioxide, sulfur hexafluoride and compressed air, at or above the San José Fire Code Permit Quantities in either compressed gas phase or cryogenic state shall be charged the equivalent of one Quantity Range.
- All other hazardous materials shall be computed based upon the DOT Hazard Class, see Table 1, as described below in conjunction with the Quantity Ranges as added up in total.

TABLE I

HAZARD CLASS
(as defined by 49
CFR, Code of
Federal Regulations,
Transportation):

DESCRIPTION

1	EXPLOSIVES - SOLIDS AND LIQUIDS
2	GASES
3	FLAMMABLE/COMBUSTIBLE LIQUIDS
4	FLAMMABLE SOLIDS
5	OXIDIZERS AND ORGANIC PEROXIDES - SOLID AND LIQUID
6	POISON - SOLID AND LIQUID
8	CORROSIVES - SOLID AND LIQUID

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

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

2. Flat Rate Permit Fee

All facilities required to report on the Hazardous Materials Registration Form, (short form) after approval by the Fire Department, shall be charged a flat rate equal to the fee for one quantity range. All other facilities will pay the permit fee as described below. Except for Public Schools which shall pay \$0 permit fee.

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 \$179.00 per quantity range.
- f) Except for Public Schools which shall pay \$0 permit fee.

<u>HAZARDOUS MATERIALS QUANTITY RANGES</u>			
<u>RANGE NUMBERS</u>	<u>RANGE AMOUNTS</u>		
	<u>Gases (cubic feet)</u>	<u>Liquids (gallons)</u>	<u>Solids (pounds)</u>
1	Less than 200	Less than 55	less than 500
2	200 to 1,999	55 to 549	500 to 4,999
3	2,000 to 9,999	550 to 2,749	5,000 to 24,999
4	10,000 to 19,999	2,750 to 5,499	25,000 to 49,999
5	20,000 to 39,999	5,500 to 9,999	50,000 to 99,999
6	40,000 to 99,999	10,000 to 99,999	100,000 or more
7	100,000 or more	100,000 or more	

4. Retail Product Storage Facilities

Retail product storage facilities shall pay the rate of one quantity range for the materials that qualify under the retail products exemption of Chapter 6.95 of the California Health and Safety Code. In addition, they shall pay the standard rate per quantity range, as described in B.3 above, for all regulated materials not included in the retail exemption.

5. State Requirement Fees

In addition to the fees described in B.3 and B.4 above, facilities required by the Health and Safety Code, Chapter 6.95, to submit an HMBP shall pay the following fees:

HMBP and Inventory Review Fee – a fee of \$176.00, plus \$8.00 per quantity range over one, per facility filing HMBP.

Except for Public Schools which shall pay \$0 permit fee.

6. Tank Permit Fee

Facilities with one or more underground tank regulated by California Health and Safety Code, Chapter 6.7, shall pay \$341.00 for the first tank and \$161.00 for each additional tank.

Except for Public Schools which shall pay \$0 permit fee.

7. Inert Gas Permit Fee

The rate is equal to One (1) Quantity Range. The fee for One Quantity Range is \$179.00.

Except for Public Schools which shall pay \$0 permit fee.

8. Propane Permit Fee

The rate is equal to Two (2) Quantity Ranges. The fee for One Quantity Range is \$179.00.

Except for Public Schools which shall pay \$0 permit fee.

II. ONE-TIME NONRENEWABLE PERMITS

The one time nonrenewable permits listed below shall be obtained when required by the Fire Department. If indicated below, the fees for these permits include charges for plan review and inspections performed during normal duty hours. When not included in the permit fee, if plan review or inspections services are required, they will be charged at the service fee rate with a one-hour minimum. Review of plans previously disapproved, 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 \$247.00.

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)	\$624.00 plus hourly rate if review surpasses 2 hours
2.	Fireworks	\$624.00 plus hourly rate if review surpasses 2 hours
3.	Mall, Covered (Special Use)	\$624.00 plus hourly rate if review surpasses 2 hours
4.	Pyrotechnical Special Effects Material	\$624.00 plus hourly rate if review surpasses 2 hours
5.	Tents, Canopies & Temporary Membrane Structures	\$624.00 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)	\$437.00 plus hourly rate if review surpasses 1 hour
2.	Ovens, Industrial Baking or Drying (inspection only included)	\$437.00 plus hourly rate if review surpasses 1 hour
3.	Parade Floats (inspection only included)	\$437.00 plus hourly rate if review surpasses 1 hour

C. Permits Which Do Not Include Plan Review or Inspection

	<u>Permit</u>	<u>Permit Fee</u>
1.	Carnivals and Fairs	\$247.00 plus hourly rate if review needed

- 2. Open Burning \$247.00 plus hourly rate if review needed
- 3. Welding & Cutting Operations (at a temporary job site involving construction or alteration permitted and regulated by the Building Code) \$247.00 plus hourly rate if review needed

SECTION 45. Section 2.060 of Part 2 of Resolution No. 72737 is amended as follows:

2.060 OTHER SERVICES AND FEES

When other services by the Bureau of Fire Prevention are required, the following fees, as listed below, shall be paid.

- 15. Outdoor Special Events Fee \$122.00 per hour

SECTION 46. Section 2.070 of Part 2 of Resolution No. 72737 is amended as follows:

2.070 RECORDS, PHOTOGRAPHS, AND DOCUMENTS

The following fees shall be paid for Fire Department records, photographs and documents except for records subpoenaed through California Evidence Code §1563.

<u>Item</u>	<u>Fee</u>
Photographs	\$15.00 <u>plus cost of processing</u>