



Operational Permits required supplemental to Construction Permits

Effective Date: January 01, 2017

In addition to the **Required Construction Permits** which have been issued as a result of this approved review, **Operational Permits** are often required as well.

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.49.12 of the California Fire Code (CFC) and modified by San Jose Municipal Code by Local Ordinance.

The following Operational Permits are the most common to be issued by the San Jose Fire Department upon Certificate of Occupancy being granted. Please refer to the CFC for the complete list as referenced above.

Common Types of Required Operational Permit(s):
105.6.2 Amusement buildings. An operational permit is required to operate a special amusement building.
105.6.3 Aviation facilities. An operational permit is required to use Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.
105.6.4 Carbon dioxide systems used in beverage dispensing applications. An operational permit is required for carbon dioxide systems used in beverage dispensing applications having more than 100 pounds of carbon dioxide on site.
105.6.5 Carnivals and fairs. An operational permit is required to conduct a carnival or fair.
105.6.6 Cellulose nitrate film. An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.
105.6.7 Combustible dust-producing operations. An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, wood finishing, or other operations producing combustible dusts.
105.6.8 Combustible fibers. An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m ³).
105.6.9 Compressed Gases. See Table 105.6.9 of the 2016 CFC.
105.6.10 Covered mall buildings. An operational permit is required for:
1. The placement of kiosks, retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall. (SJ Muni Code Ordinance)
2. The display of liquid- or gas-fired equipment in the mall.
3. The use of open-flame or flame-producing equipment in the mall.
4. The use of a covered mall as a place of assembly. (SJ Muni Code Ordinance)
105.6.13 Dry cleaning. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.
105.6.14 Exhibits and trade shows. An operational permit is required to operate exhibits and trade shows.
105.6.17 Flammable and combustible liquids. An operational permit is required for multiple conditions – See CFC
105.6.18 Floor finishing. An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m ²) using Class I or Class II liquids.
105.6.21 Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21.
105.6.22 HPM facilities. An operational permit is required to store, handle or use hazardous production materials.
105.6.23 High-piled storage. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m ²).
105.6.26 Industrial ovens. An operational permit is required for operation of industrial ovens regulated by Chapter 21.

<p>105.6.26 Lumber yards and woodworking plants. Lumberyards, woodworking and firewood storage: An operational permit is required to store lumber in excess of one hundred thousand board feet (8,333 ft³/236 m³); or to store fire wood in excess of ten cords; or to conduct woodworking operations involving mass production or involving more than one of each type of machine, or where machines are used continuously (as opposed to intermittently) or substantial products of sawdust may be a problem. See CFC Chapter 28. (SJ Muni Code Ordinance)</p>
<p>105.6.27 Liquid or gas-fueled vehicles or equipment in assembly buildings. An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.</p>
<p>105.6.30 Miscellaneous combustible storage. An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71m³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.</p>
<p>105.6.31 Motor Fuel-dispensing facilities. An operational permit is required for the operation of automotive, marine, and fleet motor fuel-dispensing facilities.</p>
<p>105.6.32 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. Exception: Recreational fires.</p>
<p>105.6.34 Open flames and candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.</p>
<p>105.6.36 Places of assembly. An operational permit is required to operate a place of assembly.</p>
<p>105.6.37 Private fire hydrants. An operational permit is required for the removal from service, use or operation of private fire hydrants.</p>
<p>105.6.40 Refrigeration equipment. An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.</p>
<p>105.6.41 Repair garages and motor fuel-dispensing facilities. Repair garages and motor fuel-dispensing facilities: An operational permit is required for operation of repair garages and automotive, marine and fleet motor fuel-dispensing facilities, including fueling with flammable or combustible liquids, liquefied petroleum gases, compressed natural gas, liquefied natural gas, or hydrogen. (SJ Muni Code Ordinance)</p>
<p>105.6.42 Rooftop heliports. An operational permit is required for the operation of a rooftop heliport.</p>
<p>105.6.43 Spraying or dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by CFC Chapter 15.</p>
<p>105.6.44 Storage of scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain outdoor storage of tires, scrap tires and tire byproducts that exceeds one thousand cubic feet (92 m³) of total volume of scrap tires and for indoor storage of tires and tire byproducts. (SJ Muni Code Ordinance)</p>
<p>105.6.45 Temporary membrane structures, tents and canopies: An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (37 m²). Exceptions:</p> <ol style="list-style-type: none"> 1. Tents used exclusively for recreational camping purposes. 2. Tents open on all sides, which comply with all of the following: <ol style="list-style-type: none"> 2.1. Individual tents having a maximum size of 700 square feet (65 m²). 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658mm) shall not exceed 700 square feet (65m²) total. 2.3. A minimum clearance of 12 feet (3658mm) to structures and other tents shall be provided.
<p>105.6.46 Tire-rebuilding plants. An operational permit is required for the operation and maintenance of a tire-rebuilding plant.</p>
<p>105.6.47 Waste handling. An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.</p>
<p>105.6.48 Wood products. An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m³).</p>
<p>105.6.49 Additional permits. In addition to the permits required by Section 105.6, the following permits shall be obtained from the Bureau of Fire Prevention prior to engaging in the following activities, operations, practices or functions:</p>
<ol style="list-style-type: none"> 1. Production facilities. To change use or occupancy, or allow the attendance of a live audience, or for wrap parties.

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<p>2. Pyrotechnics and special effects. To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gases, welding, and the parking of motor vehicles in any building or location used for the purpose of motion picture, television and commercial production.</p>
<p>3. Live audiences. To install seating arrangements for live audiences in approved production facilities, production studios and sound stages. See CFC Chapter 48.</p>
<p>4. Battery System: An operational permit is required to operate stationary battery systems having a liquid capacity of more than fifty gallons (189 L). (SJ Muni Code Ordinance)</p>
<p>5. Day Care facility: An operational permit is required to operate any day care home or facility which provides day care for adults or children. (SJ Muni Code Ordinance)</p>
<p>6. High-rise buildings: An operational permit is required to operate any high-rise building. (SJ Muni Code Ordinance)</p>
<p>7. Institutions: An operational permit is required to operate any health facility as defined in Section 1250 of the California Health and Safety Code, with an occupant load of more than six persons, or to operate any jail or facility where personal liberties of the occupants are restrained. See California Code of Regulation Title 24 Part 2. (SJ Muni Code Ordinance)</p>
<p>8. Multi-story building: An operational permit is required to operate any building which is not a high-rise building, but has four or more floors. See Section 3.09 of Title 19 of the California Code of Regulations. (SJ Muni Code Ordinance)</p>
<p>9. Residential care facility: An operational permit is required to operate any residential care or service facility, as described in the Building Code, accommodating more than six persons. (SJ Muni Code Ordinance)</p>
<p>10. Emergency Responder Radio Coverage (ERRC): An operational permit is required to operate ERRC systems and related equipment. (SJ Muni Code Ordinance)</p>
<p>11. Fire Breathing Air Replenishments System (FBARS): An operational permit is required to operate FBARS systems and related equipment. (SJ Muni Code Ordinance)</p>
<p>12. Multifamily Residential Building: An operational permit is required to operate any Residential Group R-2 or R-2.1 as defined in CBC 310.4. (SJ Muni Code Ordinance)</p>

At the final inspection for the Fire Department Inspection Card sign off, the Record of Inspection (ROI) shall be noted with the required Operational Permits to be issued to this project.