

REGULAR

NUMBER: 65.135

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS
ADDING CHAPTER 170 TO TITLE II OF THE MILPITAS MUNICIPAL
CODE RELATED TO REQUIRED INSTALLATION OF AUTOMATIC GAS
SHUT-OFF DEVICES

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting
of June 5, 2007 upon motion by Councilmember Polanski, and was adopted
(second reading) by the City Council at its meeting of June 19, 2007, upon motion
by Vice Mayor Livengood. Said Ordinance was duly passed and ordered
published in accordance with the law by the following vote:

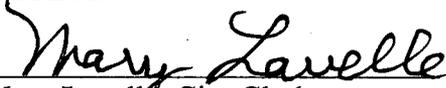
AYES: (5) Mayor Esteves, Vice Mayor Livengood, Councilmembers
Giordano, Gomez and Polanski

NOES: (0) None

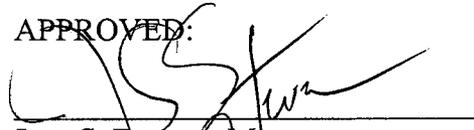
ABSENT: (0) None

ABSTAIN: (0) None

ATTEST:


Mary Lavelle, City Clerk

APPROVED:


Jose S. Esteves, Mayor

APPROVED AS TO FORM:


Steven T. Mattas, City Attorney

ORDINANCE CLAUSE:

THE CITY COUNCIL OF THE CITY OF MILPITAS DOES ORDAIN AS FOLLOWS:

one of the following: the Independent Laboratory of the International Accreditation Services (IAS), Underwriter's Laboratory (UL), International Association of Plumbing and Mechanical Officials (IAPMO), or other recognized listing and testing agency.

II-170-1.05 "Upstream of Gas Utility Meter"

"Upstream of Gas Utility Meter" shall refer to all gas piping installed by the utility up to and including the meter and the utility's bypass tee at the connection to the customer owned piping.

II-170-1.06 "Automatic Gas Shut-off Device,"

"Automatic Gas Shut-off Device," shall refer to either: a Seismic Gas Shut-off Device or Excess Flow Gas Shut-off Device.

II-170-2.00 Location of Installation

An approved Seismic Gas Shut-off Device (motion sensitive) or an approved Excess Flow Gas Shut-off Device (non-motion sensitive) shall be installed downstream of the gas utility meter and Excess Flow Gas Shut-off Devices shall be installed at each gas fuel appliance outlet on each fuel gas line where the gas line serves any new building (commercial, industrial or residential) containing fuel gas piping for which a building permit is first issued on or after the effective date of the ordinance.

II-170-2.01 Exceptions

- (a) Automatic Gas Shut-off Devices installed on a gas distribution system owned or operated by a public utility shall not be subject to the requirements of this chapter.
- (b) This ordinance shall not apply to mechanical process equipment used in manufacturing.

II-170-3.00 Automatic Gas Shut-off Devices

Gas Shut-off Devices-either installed in compliance with this ordinance or voluntarily, with a permit issued on or after the effective date of this ordinance, shall comply with the following requirements:

- (a) Automatic Gas Shut-off Devices shall be installed by a contractor licensed in the appropriate classification by the State of California and in accordance with the manufacturer's instructions.
- (b) Seismic Gas Shut-off Devices (motion sensitive) must be mounted rigidly to the exterior of the building or structure containing the fuel gas piping. This requirement need not apply if the Building and Safety Division determines that the Seismic Gas Shut-off Device (motion sensitive) has been tested and listed for an alternate method of installation.
- (c) Seismic Gas Shut-off Devices (motion sensitive) must be certified by the Office of State Architect and be listed by an approved listing and testing agency such as IAS, IAMPO, UL or the Office of State Architect. In the case of Excess Flow Gas Shut-off Devices only, be certified by the Office of State Architect or be listed by an approved listing and testing agency such as IAS, IAMPO, UL or the Office of the State Architect.

- (d) Both Excess Flow Gas Shut-off Devices and Seismic Gas Shut-off Devices must have a thirty (30) year warranty which warrants that the valve or device is free from defects and will continue to operate properly for thirty (30) years from the date of installation.
- (e) Where Automatic Gas Shut-off Devices are installed voluntarily or as required by this section, they shall be maintained for the life of the building or structure or be replaced with a valve or device complying with the requirements of this section.

II-170-3.01 List of Approved Valves and Devices.

The Building and Safety Division shall maintain a list of all Seismic Gas Shut-off Devices (motion sensitive) and Excess Flow Gas Shut-off Devices (non-motion sensitive) which meet or exceed the requirements of devices certified by the Office of the State Architect for installation in the State of California and which comply with the standards and criteria set forth in Health and Safety Code Section 19180 et seq., including quality and design regulation for earthquake actuated automatic gas Shut-off systems (see 24 Cal. Cod Regs. Ch. 12-16-1).

II-170-4.00. Enforcement.

The City of Milpitas Building and Safety Division shall administer and enforce the provisions of this ordinance.

SECTION 3. SEVERABILITY

In the event any section or portion of this ordinance shall be determined invalid or unconstitutional, such section or portion shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

SECTION 4. PUBLICATION AND EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in the Milpitas Post, a newspaper of general circulation, published and circulated in the City of Milpitas, County of Santa Clara, thenceforth and thereafter the same shall be in full force and effect.