

ORDINANCE NO. 26556

**AN ORDINANCE OF THE CITY OF SAN JOSÉ AMENDING SECTIONS 9.10.2420 AND 9.10.2430 OF CHAPTER 9.10 OF TITLE 9 OF THE SAN JOSE MUNICIPAL CODE TO EXTEND THE CONSTRUCTION AND DEMOLITION DEBRIS DEPOSIT PROGRAM EXCEPTION FOR ROOFING PROJECTS AND TO ADD EXEMPTIONS FOR CERTAIN TYPES OF PROJECTS**

**WHEREAS**, the City has instituted a Construction and Demolition Debris Deposit (CDDD) Program to increase reuse and recycling of construction and demolition debris; and

**WHEREAS**, the CDDD Program does not apply to roofing projects until January 1, 2002; and

**WHEREAS**, because the City's permit processing infrastructure is not ready to institute the CDDD Program for roofing projects, the City desires to extend the roofing project exception to July 1, 2002, and to authorize the Director of Environmental Services to extend the exception if administratively necessary; and

**WHEREAS**, certain types of projects are exempt from the CDDD requirements and the City has identified certain additional type of projects that should be exempt;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSÉ:**

**SECTION 1.** Section 9.10.2420 of Chapter 9.10 of Title 9 of the San José Municipal Code is amended to read as follows:

**9.10.2420 Special exception for roofing projects.**

- A. No diversion deposit shall be required for any roofing project until July 1, 2002. On or after July 1, 2002, each person who applies for a building

permit for a roofing project shall remit a diversion deposit in the amount set forth by resolution of the City Council.

- B. The Director of Environmental Services may extend the date of the roofing project exception specified in subsection A if the Director finds such extension is necessary due to administrative constraints. The Director shall make any such extension in writing and shall state the reasons for the extension.

**SECTION 2.** Section 9.10.2430 of Chapter 9.10 of Title 9 of the San José Municipal Code is amended to read as follows:

**9.10.2430 Diversion deposit exemptions.**

Neither a construction and demolition debris clearance document nor a diversion deposit shall be required for the following:

- A. Work for which a building permit is not required under Section 24.02.120.
- B. New residential construction projects of less than \$115,000 in value.
- C. New non-residential construction projects of less than \$135,000 in value.
- D. Residential alterations of less than \$2,000 in value.
- E. Non-residential alterations of less than \$5,000 in value.
- F. Roofing projects that do not include the tear-off of the existing roof.
- G. Work for which only a plumbing permit, only an electrical or only a mechanical permit is required.
- H. Seismic tie-down projects.
- I. The installation or replacement of shelves.
- J. Installation of pre-fabricated patio enclosures and covers where no foundation or other structural building modifications are required.
- K. Installation of swimming pools and spas, provided that the exemption shall apply only to (i) the area to be excavated for the installation of the pool or spa and (ii) the area for the pad for the pool/spa equipment that does not exceed sixteen square feet, and shall not apply to any related construction

or alterations necessary for any other equipment or accessories, nor to any other portion of the project.

- L. Installation of pre-fabricated accessories such as signs or antennas where no structural building modifications are required.

**PASSED FOR PUBLICATION OF TITLE** this 8TH day of January, 2002, by the following vote:

AYES: CAMPOS, CHAVEZ, CORTESE, DANDO, DIQUISTO, LeZOTTE, REED, SHIRAKAWA, WILLIAMS, YEAGER, GONZALES

NOES: NONE

ABSENT: NONE

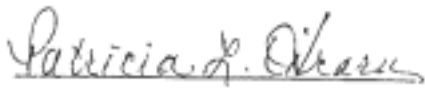
DISQUALIFIED: NONE



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RON GONZALES  
Mayor

ATTEST:



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PATRICIA L. O' HEARN  
City Clerk