

 <p><b>CITY OF MILPITAS</b>  Office of Building Safety  455 E. Calaveras Blvd.  Milpitas, CA 95035  408-586-3240  <a href="http://www.milpitas.gov">www.milpitas.gov</a></p>	<b>Policy:</b>	<b>BDP-BLG50</b>
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	Reviewed/ Revised by:	JDS
	Approved By:	Building Official
<b>FIRE SPRINKLER REQUIREMENTS FOR REBUILD</b>		

## **PURPOSE**

The code does not provide clear definition of when the extent of remodel/alteration of a detached one and two-family dwelling is significant enough that it is considered a new construction that requires fire sprinkler installation per MMC sec. V-300-2.82. 2022 California Residential Code sec. R104 states that “The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions.” This policy will establish the definition of a rebuild/new construction in an alteration/addition project of a detached one and two-family dwellings for the purpose of determining fire sprinkler requirements.

## **CODE REFERENCE(S):**

2022 California Residential Code (CRC) sec. R104  
2020 Milpitas Municipal Code (MMC) sec. V-300-2.82

## **POLICY**

An approved automatic fire sprinkler system (NFPA 13D minimum) is required per MMC sec. V-300-2.82 for new construction/structure. Where a detached one and two-family dwellings with alterations /additions is defined as a “Rebuild”, it is considered new construction for the purpose of determining fire sprinkler requirements. The following provides the definition of “Rebuild”:

### **Rebuild Definition**

When more than 50% of the existing exterior walls or existing roof structure are demolished  
OR

When more than 75% of the interior space inclusive of attached garage is being reconfigured

**Note:** Existing walls to remain shall have existing exterior or interior finishes remaining on one side of the walls.

**Existing walls where finishes on both sides have been removed will be considered as new walls.**  
**That is, the walls will be considered, for purposes of this Policy, as demolished and will count in the percentage calculation in defining the project as a rebuild.**

**Note:** A second permit application for the property submitted by the same owner, before the initial permit is finalized, will not be accepted until the first permit is finalized. This rule is enacted to help prevent circumvention of the guidelines under this Policy whereby sprinklers would be required and is set forth in the best interests of preserving the life and safety of the home's occupants.