

# CITY OF MILPITAS

Office of Building Safety  
455 E. Calaveras Blvd.  
Milpitas, CA 95035  
408-586-3240  
[www.milpitas.gov](http://www.milpitas.gov)



# AIR CONDITIONING (RESIDENTIAL)

## **1. PERMIT INFORMATION**

- The installation of appliances or equipment, air conditioning coils, and condensers require a mechanical permit.
  - If the equipment is new or an electrical upgrade is required, an electrical permit is also required.
- A Permit may be issued only to the Building Owner or their Authorized Agent [CRC 105.1].
  - See also [Authorized Agent Sample Letter](#).
  - Where the Contractor is acting as the Owner's Authorized Agent, they must be a State of California Licensed Contractor with the proper license classification.
- If the work is performed by the Building Owner personally or by his/her workers and an inspection indicates the work cannot be completed satisfactorily, then a licensed contractor must perform the work.
- If the Building Owner hires workers, State Law requires the Building Owner to obtain Worker's Compensation Insurance. Proof of this insurance is required prior to inspection.
- If the property is regulated by a Homeowners Association, any exterior work must have approval of the Association. It is the property owner's responsibility to obtain this approval.

## **2. INSTALLATION REQUIREMENTS**

- All work shall comply with the 2022 California Mechanical Code (CMC), 2022 California Electrical Code (CEC), 2022 California Energy Code (CEnC), 2023 Milpitas Municipal Code (MMC), and other adopted codes as applicable.
- Equipment shall be installed in accordance with the conditions of its listing, the manufacturer's installation instructions, and adopted codes as applicable [CMC 303.1].
- Location.**
  - Air conditioning units shall not come closer than three (3) feet to any side or rear property line [MMC XI-10-54.08(B)11].
  - Outdoor air conditioner and heat pump condensing units shall have a clearance of at least five (5) feet from the outlet of any dryer vent [CEnC 150.0(h)3.A].
- Anchorage.** Securely fasten appliances in place in accordance with manufacturer's installation instructions [CMC 303.4].
  - Compressors or condensing units supported from the ground shall rest on a concrete base extending at least 3 inches above adjoining ground level [CMC 1105.2].
- Condensate.** Equipment that produces condensate shall collect and discharge it to an approved location [CMC 310.1].
  - Condensate waste piping must be sized and provided with cleanouts so as to comply with CMC 310.3.
  - Use of condensate pumps requires approval, and where approved they must be installed in accordance with manufacturer's installation instruction and be interlocked in compliance with CMC 310.1.1.
  - Where equipment is installed in a space where damage could result from condensate overflow, a drain line shall be provided and an additional, secondary, method of protection compliant with CMC 310.2 shall be provided.
- Filtration.** Air cooling systems require air filters [CMC 311.2].

- Accessibility for Service.** Sufficient clearance shall be maintained to permit cleaning of equipment and replacement of filters, vent connections, and other components. A minimum working space of 30 inches in all dimensions shall be provided to this end. [CMC 304.1]
  - Where equipment is installed in an attic or underfloor space, it must be made accessible for service by providing a passageway, working platform, lighting, and convenience outlet so as to comply with the requirements of CMC 304.4.
  - **Convenience Outlet.** A 125v, 15A or 20A receptacle outlet shall be installed at an accessible location within 25ft of, and on the same level as, the air conditioning equipment [CEC 210.63].
- Electrical Power.**
  - A readily accessible means for interrupting the electrical supply to the air conditioning equipment shall be provided within sight of and not over 50 feet from the air conditioner [CMC 903.2.6, CEC 440.14].
    - To be readily accessible, this disconnecting means must be capable of being reached quickly without requiring the use of tools, removal of obstacles, climbing over or under, etc. [CEC 100]
  - The new or existing electrical service and sub-panels shall be properly sized for the new air conditioning load.
  - Branch-circuit conductors must be capable of supplying the equipment without overheating [CEC 440.31].
  - Overcurrent protective device rating not to exceed the manufacturer's values marked on the equipment [CEC 440.22(C)].
  - Disconnecting means and overcurrent protective devices located outdoors where they are subject to rain must be installed in weatherproof enclosures [CEC 240.32, 312.2, 404.4].
- Refrigerant Port Protection.** Air conditioning refrigerant access ports located outdoors shall be protected from unauthorized access with locking-type tamper resistant caps or in a manner approved by the Building Official. [CMC 1105.11]
- Insulation.** Space-conditioning system lines must be insulated as per CEnC 120.3(c) [CEnC 150.0(j)1.B].
  - Outdoor system line insulation exposed to weather requires a cover suitable for outdoor service which is water retardant and provides shielding from solar radiation that causes degradation to the material. [CEnC 150.0(j)2 → 120.3(b)]
    - Adhesive tape shall not be used for this purpose.
- Energy Compliance.** Installation of new or replacement of existing air conditioning equipment must comply with all applicable mandatory measures of the California Energy Code.
  - Register your project with CalCERTS or CHEERS registry immediately and complete all compliance steps prior to final inspection.

### **3. ADDITIONAL REQUIREMENTS**

- Smoke/Carbon Monoxide Alarms and Spark Arrestor Inspection.** In all one- and two-family residences, installation and inspection of required smoke alarms, carbon monoxide alarms, and spark arresters must be completed prior to the final inspection. Refer to the [Smoke Alarm, Carbon Monoxide Alarm, and Spark Arrestor Certificate](#) handout for detailed information.
- Water Conserving Fixture Inspection.** All one- and two- family residences must have replaced all non-compliant plumbing fixtures with water-conserving plumbing fixtures and verification of this is required as a condition of final approval of any permit [CA Civ Code § 1101]. Refer to the [Water Conserving Certificate of Compliance](#) handout for details and exceptions.

### **4. INSPECTION PROCEDURES**

- A rough inspection shall be scheduled if any work is inside walls or ceilings and will be covered with finish materials. A final inspection shall be scheduled after all work is complete including CalCERTS or CHEERS registry compliance.
- QUESTIONS** – If you have any questions regarding your project, please contact the Office of Building Safety at (408) 586-3240.