

CBSC STAFF REPORT
BSC 02/15 – Part 4

PROPOSING STATE AGENCY:

California Building Standards Commission (CBSC, BSC)

APPLICATION AFFECTED:

State buildings (all occupancies), including buildings constructed by the Trustees of the California State Universities and Colleges and the Regents of the University of California where no state agency has the authority to adopt building standards applicable to such buildings.

SUBJECT:

This proposed action would repeal the 2013 Uniform Mechanical Code and adopt the 2015 Uniform Mechanical Code by reference with CBSC amendments to be used as the 2016 California Mechanical Code.

FINDINGS:

CBSC Code Advisory Committee (CAC) Comments/Recommendations

CBSC's Plumbing Mechanical Electrical and Energy CAC (PEME) recommended Approve as Submitted. CBSC concurred with CAC recommendations.

Public Comments received during 45-Day public comment period October 9-November 23, 2015

Public comments were received as follows:

1. **S. Taylor**, Principal, Taylor Engineering LLC, Recommend: **Approved as Amended**
CBSC reviewed the comment on 11/23/15 and has decided to not accept the comment as it is proposing to amend a model code chapter that is not being proposed for amendment in this rulemaking cycle.
See Final statement of reasons for agency's response

2. **Craig Ristow**, ACCO, **Hwakong Cheng**, **Jeff Stein**, **Lance Brown** from Taylor Engineering, Recommend: **Disapproved**
CBSC reviewed the comments on 11/20/15 and has decided to not accept the comments as they are proposing to amend a model code chapter that is not being proposed for amendment in this rulemaking cycle.
See Final statement of reasons for agency's response.

3. **B. Rifenburg**, **I. Millich**, **S. Ishaya**, **S. Myers**, **G. Creighton**, **C. Shinneman II**, **S. Taylor**, **R. Bryan**, **K. Peterson**, **C. Cady**, **D. Heinzerling**, **A. Daly**, **J. Harris**, **C. Barker**, **S. Humason**, **B. Eubanks**, **B. Edman**, **S. Poe**, **J. Agaram**, Recommend: **Disapproved**
CBSC reviewed the comments on 11/23/15 and has decided to not accept the comments as they are proposing to amend a model code chapter that is not being proposed for amendment in this rulemaking cycle.
See Final statement of reasons for agency's response

Staff Findings:

CBSC's Submittal appears to be compliant with the Administrative Procedure Act and Building Standards Law.

COMMISSION ACTION:

Staff prepared color Commission Action Matrix's which group the proposed regulations as follows:

GREEN = Uncontested items

YELLOW = Challenged items during the public comment period

SALMON = Withdrawn items by the state agency; no action required.

For efficiency, staff recommends the Commission act on the uncontested items listed on the green matrix in one motion. The Commission may take any one of the following actions on the proposed regulations, and then act on the code adoption proposal as a whole: **One or more of the 9 point criterion must be cited for an action other than Approve.**

- ❖ **Approve**
- ❖ **Disapprove**
- ❖ **Approve as Amended**
- ❖ **Further Study Required**