

**FINAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
CALIFORNIA BUILDING STANDARDS COMMISSION (BSC)  
  
REGARDING THE 2016 CALIFORNIA PLUMBING CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

**[Note to agencies:** Directions below, which, like this note, are not intended to be shown in your submittal, have been updated to reflect requirements of SB 617 effective January 1, 2012. New directions are shown in underline.]

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a final statement of reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**UPDATES TO THE INITIAL STATEMENT OF REASONS:**

(Government Code Section 11346.9(a)(1) requires an update of the information contained in the initial statement of reasons. If update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the initial statement of reasons, the state agency shall comply with Government Code Section 11347.1)

CBSC proposed 15-Day Express Terms which corrected an oversight of the proposed adopting of Chapter 14 "FIRESTOP PROTECTION" of the 2015 UPC. BSC did not adopt the "FIRESTOP PROTECTION" chapter during the 2013 Triennial Code Adoption Cycle and BSC's intent is to continue to NOT adopt the "FIRESTOP PROTECTION" chapter from the 2015 UPC. Additionally, BSC does not have authority to adopt provisions that pertain to fire and life safety which are the sole authority of the State Fire Marshal. Since the State Fire Marshal did not adopt Chapter 14 of the 2015 UPC, BSC is proposing to NOT adopt said chapter. This action will maintain consistent with prior BSC rulemaking actions and will avoid conflict with the proposed actions of the State Fire Marshal.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

(Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s))

The California Building Standards Commission has determined that the proposed regulatory action would impose a mandate on local agencies, or school districts. CBSC does not have authority to adopt regulations for school districts. The mandate does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code. H&SC section 18928 requires the CBSC to adopt the most current edition of the model codes. H&SC 18938(b) makes applicable the most current edition of the model building code to all occupancies throughout the State of California as prescribed.

**OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).**

(Government Code Section 11346.9(a)(3)) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

**45-day comment:**

**Commenter:** J. Dillard, Los Angeles, Recommend: Disapprove the repeal of model code definitions in chapter 2 for:

Section 217-One-Site Treated Nonpotable Water

Section 220-Rainwater, Rainwater Catchment System and Reclaimed Water

**CBSC Response:**

Section 217-On-Site Treated Nonpotable Water.

CBSC appreciates the comment however, has decided to maintain the proposal to repeal the 2015 IBC model code definition for **On-Site Treated Nonpotable Water** and maintaining the existing California amended language for "**On-Site Treated Nonpotable Water**" from the 2013 edition of the California Plumbing Code.

This action provides consistent definitions for On-Site Treated Nonpotable Water between residential and non-residential occupancies.

**CBSC Response:**

Section 220-Rainwater, Rainwater Catchment System and Reclaimed Water

CBSC appreciates the comment however, has decided to maintain the proposal to repeal model code definition for "Rainwater, Rainwater Catchment System and Reclaimed Water" and maintain the existing California amended language for "**Rainwater, Rainwater Catchment System and Reclaimed Water**" from the 2013 edition of the California Plumbing Code.

This action provides consistent definitions for *Rainwater, Rainwater Catchment System and Reclaimed Water* between residential and non-residential occupancies.

**15-day comment:**

**NO comments received during the 15-day public comment period.**

**DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS**

(Government Code Section 11346.9(a)(4)) requires a determination with supporting information that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

The CBSC has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

(Government Code Section 11346.9(a)(5)) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

There were no proposed alternatives. The CBSC has determined that the proposed regulations will have no adverse impact on small businesses.