

**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE 2016 CALIFORNIA EXISTING BUILDING CODE (CEBC)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10

(HCD 04/15)**

The Administrative Procedure Act (APA) requires an Initial Statement of Reasons (ISOR) to be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE AND BENEFITS:

(Government Code Section 11346.2(b)(1) requires a statement of specific purpose of **EACH** adoption, amendment or repeal and the problem the agency intends to address and the rationale for the determination by the agency that EACH adoption, amendment or repeal is reasonably necessary to carry out the purpose and address the problem the agency intends to address for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.)

1) The Public Problem, Administrative Requirement, or Other Circumstance Addressed.

Administrative Requirement: Health and Safety Code Section 17922 and 19990 direct the Department of Housing and Community Development (HCD) to adopt the most recent edition of the model code, which, in this case, is the International Existing Building Code published by the International Code Council (ICC) as selected by the California Building Standards Commission (CBSC), into Part 10 of Title 24 of the California Code of Regulations.

2) Specific Purpose

The California Building Standards Commission (CBSC) selected the 2015 International Existing Building Code as the model code to be referenced in Title 24, Part 10 of the California Code of Regulations (CCR) for the 2015 Triennial Code Adoption Cycle.

The specific purpose of these regulations is to adopt by reference the 2015 edition of the International Existing Building Code, with California Amendments, into the 2016 California Existing Building Code (CEBC), Title 24, Part 10, of the California Code of Regulations (CCR) for the following programs:

- a) **State Housing Law:** relative to residential occupancies, buildings or structures accessory thereto and as provided in Health and Safety Code Section 17921.2.
- b) **Employee Housing Act:** relative to any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.
- c) **Mobilehome Parks or Special Occupancy Parks:** relative to the use of building systems in or on any permanent buildings, accessory buildings, and structures under the ownership and control of the park operator within the park in accordance with Health and Safety Code Section 18300 for mobilehome parks, and Health and Safety Code Section 18865 for special occupancy parks.
- d) **Factory-Built Housing Law:** relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

3) Rationale for Necessity

The proposed building standards update the 2015 IEBC and are intended to provide clarity, specificity and direction to the code user and to implement and make specific existing state laws. California amendments also include some amendments brought forward from the 2013 California Building Code, Chapter 34. The regulations adopted by HCD

which are currently contained in CBC, Chapter 34 are proposed to be relocated into the California Existing Building Code.

If the 2015 International Existing Building Code becomes adopted in its entirety without being adopted by the CBSC, such automatic adoption would cause considerable confusion because California Amendments, also known as “State Amendments”, are necessary modifications to the model code language to ensure that the 2016 California Existing Building Code is consistent with state law.

It is necessary to propose the adoption of some sections of the 2015 International Existing Building Code with amendments to the model code language to incorporate state law provisions and to accommodate unique California conditions.

It is necessary to not propose the adoption of some sections of the 2015 International Existing Building Code as they would conflict with existing state law provisions and not accommodate unique California conditions.

It is necessary to propose the removal of some California Amendments previously proposed and adopted in the 2013 California Building Code that are duplicated or replaced by similar new model code language, or incorporated state and federal laws, and are no longer necessary.

It is necessary to bring forward previously existing California Amendments. Some existing amendments will be brought forward without any changes and will represent no change in regulatory effect from the 2013 California Building Code. Other previously existing California Amendments will be changed as explained below.

Specific Proposed Regulatory Actions:

HCD proposes to adopt by reference the 2015 edition of the International Existing Building Code with amendments into the 2016 California Existing Building Code. These proposed amendments are intended to provide clarity, specificity and direction to the code user and to implement and make specific existing state laws. Many of the proposed amendments are a result of recommendations developed during the public participation period prior to submittal to the California Building Standards Commission (CBSC) to be included in the 2015 Triennial Code Adoption Cycle. The rationale for each amendment is listed below.

**1. CHAPTER 1
SCOPE AND ADMINISTRATION**

**DIVISION I
CALIFORNIA ADMINISTRATION**

SECTION 1.1 – GENERAL

- 1.1.1 Title.
- 1.1.2 Purpose.
- 1.1.3 Scope.
- 1.1.3.1 Nonstate-regulated buildings, structures, and applications.
- 1.1.3.2 State-regulated buildings, structures, and applications.
- 1.1.4 Appendices.
- 1.1.5 Referenced codes.
- 1.1.6 Nonbuilding standards, orders and regulations.
- 1.1.7 Order of precedence and use.
- 1.1.7.1 Differences.
- 1.1.7.2 Specific provisions.
- 1.1.7.3 Conflicts.
- 1.1.7.3.1 Detached one-and two-family dwellings
- 1.1.8 City, county, or city and county amendments, additions or deletions.
- 1.1.8.1 Findings and filings.
- 1.1.9 Effective date of this code.
- 1.1.10 Availability of codes.
- 1.1.11 Format.
- 1.1.12 Validity.

SECTION 1.8 - DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

1.8.1 Purpose.

SECTION 1.8.2 – AUTHORITY AND ABBREVIATIONS

- 1.8.2.1 General.**
- 1.8.2.1.1 Housing construction.**
- 1.8.2.1.2 Housing accessibility.**
- 1.8.2.1.3 Permanent buildings in mobilehome parks and special occupancy parks.**

SECTION 1.8.3 – LOCAL ENFORCING AGENCY

- 1.8.3.1 Duties and powers.**
- 1.8.3.2 Laws, rules and regulations.**
 - 1.8.3.2.1 State Housing Law.**
 - 1.8.3.2.2 Mobilehome Parks Act.**
 - 1.8.3.2.3 Special Occupancy Parks Act.**
 - 1.8.3.2.4 Employee Housing Act.**
 - 1.8.3.2.5 Factory-Built Housing Law.**

SECTION 1.8.4 – PERMITS, FEES, APPLICATIONS AND INSPECTIONS

- 1.8.4.1 Permits.**
- 1.8.4.2 Fees.**
- 1.8.4.3 Plan review and time limitations.**
 - 1.8.4.3.1 Retention of plans.**
- 1.8.4.4 Inspections.**

SECTION 1.8.5 – RIGHT OF ENTRY FOR ENFORCEMENT

1.8.5.1 General.

SECTION 1.8.6 – LOCAL MODIFICATION BY ORDINANCE OR REGULATION

- 1.8.6.1 General.**
- 1.8.6.2 Findings, filings and rejections of local modifications.**

SECTION 1.8.7 – ALTERNATE MATERIALS, DESIGNS, TESTS AND METHODS OF CONSTRUCTION

- 1.8.7.1 General.**
- 1.8.7.2 Local building departments.**
 - 1.8.7.2.1 Approval of alternates.**
- 1.8.7.3 Department of Housing and Community Development.**

SECTION 1.8.8 – APPEALS BOARD

- 1.8.8.1 General.**
- 1.8.8.2 Definitions.**
- 1.8.8.3 Appeals.**

SECTION 1.8.9 - UNSAFE BUILDINGS OR STRUCTURES

- 1.8.9.1 Authority to enforce.**
- 1.8.9.2 Actions and proceedings.**

SECTION 1.8.10 - OTHER BUILDING REGULATIONS

- 1.8.10.1 Existing structures.**
- 1.8.10.2 Moved structures.**

Rationale: HCD proposes to adopt the above referenced sections. Chapter 1, Division I, California Administration, contains general requirements specific to the needs of California and each state agency. Sections 1.1 through 1.8.10.2 are similar to Section 1.1 through 1.8.10.2 in Chapter 1, Division I, in the California Building Code, California Residential Code, California Mechanical Code and California Plumbing Code. The California amendments are being proposed for adoption into the 2016 California Existing Building Code to provide consistency with other parts of the California Building Standards Code.

**2. CHAPTER 1
DIVISION II
SCOPE AND ADMINISTRATION**

CHAPTER 1, DIVISION II, SCOPE AND ADMINISTRATION

Rationale: HCD proposes to adopt Chapter 1, Scope and Administration, Sections 105.2 (Building 1-6 only), 106.1, 106.2.1, 106.2.4, 106.2.5, 109.3, 109.3.1, 109.3.2, 109.3.3, 109.3.4, 109.3.5, 109.3.6, 109.3.7, 109.3.8, 109.3.9 only from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendments. HCD also proposes to add the term, "Division II" to the title of this chapter. This proposed amendment is consistent with other parts of Title 24, California Code of Regulations.

SECTION 109 INSPECTIONS

Section: 109.3.3 Lowest floor elevation.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the reference from the International Building Code to the California Building Code.

Section: 109.3.4.1 Moisture content verification.

Rationale: HCD proposes to adopt the above referenced California amendment into the 2016 California Existing Building Code. Pointers to mandatory CALGreen Code requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen Code requirement(s) in the event that HCD in future rulemaking discontinues the CALGreen Code, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen.

Section: 109.3.7 Other inspections.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. HCD proposes to amend the term "Department of Building Safety" to "building official". This amendment is consistent with other California codes. Additionally, HCD proposes to add a note referencing the Civil Code regarding replacement of noncompliant plumbing fixtures for buildings undergoing permitted alterations, additions or improvements. The addition of this note is similar to the note placed in Chapter 3 of CALGreen for additions and alterations and is intended to provide clarity and consistency for code users, and to provide an alert to code users that local building officials have a statutory requirement to inspect plumbing fixtures for compliance with state law.

Section: 109.3.8 Special inspections.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment refers the code user to the California Building Code, Chapter 17 for special inspections.

**3. CHAPTER 2
DEFINITIONS**

SECTION 201 GENERAL

Section: 201.3 Terms defined in other codes.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the term "International Codes" to "California Codes" to provide the code user the correct reference to the California Building Code.

CODE OFFICIAL

Rationale: HCD proposes adopt the definition of “CODE OFFICIAL” from the 2013 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment explains to the code user that “Code Official” shall have the same meaning as “Building Official.”

BUILDING

Rationale: HCD proposes to adopt the above new California amendment defining “Building”. This definition was applicable to the 2013 CBC, including Chapter 34 addressing existing buildings, and provided specific exceptions to the definition of “Building” including commercial modulars and special purpose commercial modulars as defined in the Health and Safety Code, Manufactured Housing Act of 1980, Sections 18001.8 and 18012.5, respectively. The CBC definition for “Building,” should also apply to structures and existing buildings as addressed in the 2016 CEBC. There would be no intended change in regulatory effect from the 2013 CBC.

BUILDING OFFICIAL

Rationale: HCD proposes to adopt the above referenced California amendment defining “Building Official.” The term “Building Official” is used in other California Codes in Title 24, California Code of Regulations.

4. CHAPTER 3 PROVISIONS FOR ALL COMPLIANCE METHODS

HCD proposes to not adopt Chapter 3 from the 2015 International Existing Building Code.

5. CHAPTER 4 PRESCRIPTIVE COMPLIANCE METHOD

SECTION 401 GENERAL

Section: 401.1 (Formerly CBC 3401.1) Scope.

Rationale: HCD proposes to delete the reference to Section 301.1.1 which is not adopted by HCD. HCD’s amendment provides a reference to the California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1. Title 25 contains provisions for maintenance, alteration, repair, addition, or change of occupancy to existing buildings and accessory structures under the authority of HCD. This amendment modifies the scope, clarifying that in addition to the requirements the California Existing Building Code, existing buildings (and accessory structures) with Group R occupancies shall comply with the applicable sections of Title 25.

The California amendment (Exception 2) provides a reference to Title 25, which includes provisions for the use and maintenance of permanent structures in mobilehome parks and special occupancy parks. Exception 3 is related to limited-density owner-built rural dwellings, which are exempt from the requirements of this chapter.

Section: 401.2.1 (Formerly CBC 3401.4.1) Existing materials.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment is proposed to be brought forward from the CBC, Chapter 34 and addresses alterations or repairs to existing structures. State law allows the replacement, retention, and extension of original materials, and the use of original methods of construction, unless the building is not or does not become substandard.

Section: 401.2.3 (Formerly CBC 3401.4.3) Existing seismic force-resisting systems.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the reference from the International Building Code to the California Building Code.

SECTION 402 ADDITIONS

Section: 402.1 (Formerly CBC 3403.1) General.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code reference from the International Building Code to the California Building Code and adds the California Residential Code as an

applicable code. HCD also proposes the addition of language that refers the code user to height and area provisions of Chapter 5 of the California Building Code, or to the height and story provisions of Chapter 3 of the California Residential Code.

Section: 402.2 (Formerly CBC 3402.2) Flood hazard areas.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code references from the International Building Code to the California Building Code and changes the references from the International Residential Code to the California Residential Code.

**Sections: 402.3 (Formerly CBC 3403.3) Existing structural elements carrying gravity load.
402.3.1 (Formerly CBC 3403.3.1) Design live load.**

Rationale: HCD proposes to adopt the above referenced sections from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code references from the International Building Code to the California Building Code.

Section: 402.4 (Formerly CBC 3403.4) Existing structural elements carrying lateral load.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code reference from the International Building Code to the California Building Code. HCD also proposes to delete the last sentence of the first paragraph which is new language to the model code. HCD's intent for this rulemaking was to take the existing regulations from CBC Chapter 34 and relocate them into the 2016 CEBC without causing any change in regulatory effect from the 2013 CBC Chapter 34. Local jurisdictions desiring to adopt provisions in this section not proposed for adoption by HCD may do so pursuant to Health and Safety Code Section 17958.5. Although there was some discussion at the CAC about HCD's proposed non adoption of ASCE 41, due to the fact that HCD's stakeholders did not raise the issue during the focus group meeting, and the very short time frame between the CAC and the resubmittal date for the 45-Day Public Comment Period, HCD does not have adequate time to properly discuss this issue with stakeholders and conduct adequate research during this rulemaking cycle. HCD will consider expanding the adoption of model code provisions in future rulemaking activity.

Section: 402.6 Carbon monoxide detection in existing portions of a building.

Rationale: HCD proposes to adopt the above referenced new California amendment. The newly proposed amendment clarifies that carbon monoxide detection is required for existing Group R occupancies and new additions with fuel-burning appliances, fireplaces, forced-air furnaces, or an attached garage. The newly proposed amendment also provides the code user with the correct reference to the California Building Code, Section 915, which contains the requirements for carbon monoxide detection in new and existing buildings. The proposed amendment provides clarity and consistency with the California Building Code. There is no intended change in regulatory effect from the requirements in the California Building Code, Section 915, which was formerly Section 420.6.

SECTION 403 ALTERATIONS

Section: 403.1 (Formerly CBC 3404.1) General.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code references from the International Building Code to the California Building Code. HCD also proposes to add California Residential Code as an applicable code.

Section: 403.1.1 (Formerly CBC 3404.1.1) Replacement, retention and extension of original materials.

Rationale: HCD proposes to adopt California amendment 403.1.1 into the 2016 California Existing Building Code. The amendment addresses alterations to existing structures, and provides clarity to code users. State law allows the replacement, retention, and extension of original materials, and the use of original methods of construction, unless the building is not or does not become substandard.

Section: 403.2 (Formerly CBC 3404.2) Flood hazard areas.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code references from the International Building Code to the California Building Code and from the International Residential Code to the California Residential Code.

Sections: 403.3 (Formerly CBC 3404.3) Existing structural elements carrying gravity load.

403.3.1 (Formerly CBC 3404.3.1) Design live load.

Rationale: HCD proposes to adopt the above referenced sections from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code reference from the International Building Code to the California Building Code.

Section: 403.4 (Formerly CBC 3404.4) Existing structural elements carrying lateral load.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the reference from the International Building Code to the California Building Code. HCD also proposes to strike the phrase “Except as permitted by Section 403.5.” HCD does not adopt Section 403.5. HCD also proposes to delete the last sentence of the first paragraph which is new language to the model code. HCD’s intent for this rulemaking was to relocate the existing regulations from CBC Chapter 34 into the 2016 CEBC without causing any change in regulatory effect from the 2013 CBC Chapter 34. Local jurisdictions desiring to adopt provisions in this section not proposed for adoption by HCD may do so pursuant to Health and Safety Code Section 17958.5. Although there was some discussion at the CAC about HCD’s proposed non adoption of ASCE 41, due to the fact that HCD’s stakeholders did not raise the issue during the focus group meeting, and the very short time frame between the CAC and the resubmittal date for the 45-Day Public Comment Period, HCD does not have adequate time to properly discuss this issue with stakeholders and conduct adequate research during this rulemaking cycle. HCD will consider expanding the adoption of model code provisions in future rulemaking activity.

Sections: 403.9 (Formerly CBC 3404.5) Voluntary seismic improvements.

403.11.1 Smoke compartments.

403.11.2 Ambulatory care.

403.11.3 Horizontal exits.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code references from the International Building Code to the California Building Code.

Section: 403.12 Carbon monoxide detection.

Rationale: HCD proposes to adopt the above referenced new California amendment. The newly proposed amendment clarifies that existing Group R occupancies undergoing alterations, not previously covered by Section 915, may require installation of carbon monoxide detection if equipped with a fuel-burning appliance, fireplace, or forced-air furnace as part of the alterations.

The newly proposed amendment also implements the mandates contained in the Health and Safety Code requiring the installation of carbon monoxide detection in existing Group R occupancies with fuel burning appliances or an attached garage, and serves as a pointer to Section 17926 for further reference and details.

The proposed amendment provides clarity and consistency with the California Building Code and the California Health and Safety Code. There is no intended change in regulatory effect from the requirements in the California Building Code, Section 915 (formerly 420.6).

SECTION 404 REPAIRS

Section: 404.5 (Formerly CBC 3405.5) Flood hazard areas.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the reference from the International Building Code to the California Building Code and from the International Residential Code to the California Residential Code.

SECTION 407 CHANGE OF OCCUPANCY

Section: 407.1 (Formerly CBC 3408.1) Conformance.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code reference from the International Building Code to the California Building Code.

Section: 407.1.1 Change in the character of use.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the reference from the International Codes to the California codes.

Section: 407.3 (Formerly CBC 3408.3) Stairways.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the code reference from the International Building Code to the California Building Code.

Section: 407.4 (Formerly CBC 3408.4) Structural.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the reference from the International Building Code to the California Building Code. HCD also proposes to strikeout the last sentence of the first paragraph which is new language to the model code. HCD's intent for this rulemaking was to relocate the existing regulations from CBC Chapter 34 into the 2016 CEBC without causing any change in regulatory effect from the 2013 CBC Chapter 34. Local jurisdictions desiring to adopt provisions in this section not proposed for adoption by HCD may do so pursuant to Health and Safety Code Section 17958.5. Although there was some discussion at the CAC about HCD's proposed non adoption of ASCE 41, due to the fact that HCD's stakeholders did not raise the issue during the focus group meeting, and the very short time frame between the CAC and the resubmittal date for the 45-Day Public Comment Period, HCD does not have adequate time to properly discuss this issue with stakeholders and conduct adequate research during this rulemaking cycle. HCD will consider expanding the adoption of model code provisions in future rulemaking activity.

SECTION 409 MOVED STRUCTURES

Section: 409.1 (Formerly CBC 3410.1) Conformance.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. State law allows the replacement, retention, and extension of original materials, and the use of original methods of construction for moved structures. The California amendment implements state law by allowing moved structures, which are not substandard, to be maintained. This amendment also clarifies that the foundation system of a moved structure must meet the same requirements applicable to a new structure.

**6. CHAPTER 5
CLASSIFICATION OF WORK**

HCD proposes to not adopt Chapter 5 from the 2015 International Existing Building Code.

**7. CHAPTER 6
REPAIRS**

HCD proposes to not adopt Chapter 6 from the 2015 International Existing Building Code.

**8. CHAPTER 7
ALTERATIONS—LEVEL 1**

HCD proposes to not adopt Chapter 7 from the 2015 International Existing Building Code.

**9. CHAPTER 8
ALTERATIONS—LEVEL 2**

HCD proposes to not adopt Chapter 8 from the 2015 International Existing Building Code.

**10. CHAPTER 9
ALTERATIONS—LEVEL 3**

HCD proposes to not adopt Chapter 9 from the 2015 International Existing Building Code.

**11. CHAPTER 10
CHANGE OF OCCUPANCY**

HCD proposes to not adopt Chapter 10 from the 2015 International Existing Building Code.

**12. CHAPTER 11
ADDITIONS**

HCD proposes to not adopt Chapter 11 from the 2015 International Existing Building Code.

**13. CHAPTER 12
HISTORIC BUILDINGS**

HCD proposes to not adopt Chapter 12 from the 2015 International Existing Building Code.

**14. CHAPTER 13
RELOCATED OR MOVED BUILDINGS**

HCD proposes to not adopt Chapter 13 from the 2015 International Existing Building Code.

**15. CHAPTER 14
PERFORMANCE COMPLIANCE METHODS**

HCD proposes to not adopt Chapter 14 from the 2015 International Existing Building Code.

**16. CHAPTER 15
CONSTRUCTION SAFEGUARDS**

SECTION 1501 GENERAL

Section: 1501.5 Fire safety during construction.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the term “International” to the “California”, to provide the code user with the current reference.

Section: 1501.6.1 Walkways.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the references from Chapter 11 and the International Building Code to Chapter 11A and the California Building Code, to provide the code user with the current reference.

Section: 1501.6.4.1 Barrier design.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the reference from the International Building Code to the California Building Code.

Section: 1501.6.7 Adjacent to excavations.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the reference from the International Building Code to the California Building Code.

Section: 1501.7 Facilities required.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. The amendment changes the reference from the International Plumbing Code to the California Plumbing Code.

**17. CHAPTER 16
REFERENCED STANDARDS**

Referenced Standards

Rationale: HCD proposes to adopt Chapter 16 from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendments. HCD proposes to remove references to standards which are not referenced in the CEBC sections noted. HCD also proposes an amendment referencing provisions related to standards in Division I, California Administration, since HCD does not adopt Section 102.4.

**18. Appendix A, CHAPTER A1
SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED MASONRY BEARING WALL
BUILDINGS**

SECTION A100 APPLICATION

Section: A100.1 Vesting Authority.

Rationale: HCD proposes to bring forward the above referenced California amendment from the 2013 California Existing Building Code into the 2016 California Existing Building Code. The amendment provides clarity on types of residential structures subject to the Department of Housing and Community Development's "HCD 1" and "HCD 2" applications. This California amendment has been brought forward from the 2013 CEBC with an editorial correction adding "apartments" to the list of dwellings included in the application. There is no intended change in regulatory effect from the 2013 California Existing Building Code.

SECTION A102 SCOPE

Section: A102.2 Essential and hazardous facilities.

Rationale: HCD proposes to adopt the above referenced section from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendment. HCD proposes to amend the code reference from the International Building Code to the California Building Code.

SECTION A103 DEFINITIONS

BUILDING CODE.

Rationale: HCD proposes to bring forward the above referenced California amendment from the 2013 California Existing Building Code into the 2016 California Existing Building Code. The amendment provides clarity that reference to the "Building Code" means the current edition of the California Building Code. There is no intended change in regulatory effect from the 2013 California Existing Building Code.

SECTION A105 GENERAL REQUIREMENTS

Section: A105.4 Structural observation, testing and inspection.

Rationale: HCD proposes to bring forward the above referenced California amendment from the 2013 California Existing Building Code into the 2016 California Existing Building Code with modification. The existing amendment changes the reference from the International Building Code to the California Building Code. The modification changes the model code reference to Section 1708 of the IBC to 1704 of the IBC/CBC which is more appropriate for structural observation. There is no intended change in regulatory effect from the 2013 California Existing Building Code.

19. **Appendix A, CHAPTER A2
EARTHQUAKE HAZARD REDUCTION IN EXISTING REINFORCED CONCRETE AND REINFORCED
MASONRY WALL BUILDINGS WITH FLEXIBLE DIAPHRAGMS**

HCD proposes to not adopt Appendix A, Chapter A2 from the 2105 International Existing Building Code.

20. **Appendix A, CHAPTER A3 PRESCRIPTIVE PROVISIONS FOR SEISMIC STRENGTHENING OF
CRIPPLE WALLS AND SILL PLATE ANCHORAGE OF LIGHT, WOOD-FRAME RESIDENTIAL
BUILDINGS**

SECTION A302 DEFINITIONS

CODE OFFICIAL.

ENFORCING AGENCY.

Rationale: HCD proposes to bring forward the above referenced California amendments from the 2013 California Existing Building Code into the 2016 California Existing Building Code. This amendment alerts code users that “Code Official” has the same meaning as “Enforcing Agency” which is the term used consistently in other California building standards. HCD also proposes to continue adoption of the term “Enforcing Agency.” There is no intended change in regulatory effect from the 2013 California Existing Building Code.

SECTION A304 STRENGTHENING REQUIREMENTS

Section: A304.5 Inspections.

Rationale: HCD proposes to bring forward the above referenced California amendments from the 2013 California Existing Building Code into the 2016 California Existing Building Code.. The existing amendments change the title of the section to inspections, and also clarifies that special inspections may be required for adhesive anchors installed in existing foundations.

Section: A304.6 Phasing of the strengthening work.

Rationale: HCD proposes to bring forward the above referenced California amendments from the 2013 California Existing Building Code into the 2016 California Existing Building Code. This amendment was included in the 2009 IEBC model code and allowed the seismic strengthening work to be completed in phases. HCD intends to continue the adoption of this existing amendment due to the fact that this provision is not included in the 2015 IEBC.

FIGURE A3-3. SILL PLATE ANCHORING TO EXISTING FOUNDATION

Rationale: HCD proposes to adopt the above referenced model code figure with amendment. The proposed California amendment deletes the term “bolting” and replaces it with “anchoring”. The figure shows the sill plate being anchored to the existing foundation, therefore changing the Title of the figure to “SILL PLATE ANCHORING TO EXISTING FOUNDATION” is a more accurate and is consistent with the terminology used throughout this chapter.

FIGURE A3-7. PARTIAL CRIPPLE STUD WALL ELEVATION

Rationale: HCD proposes to adopt the above referenced model code figure with amendment. The proposed California amendment deletes the term “bolt” and replaces it with “anchor”. This language is consistent with the model code language used in this chapter.

FIGURE A3-8A. TYPICAL FLOOR TO CRIPPLE WALL CONNECTION (FLOOR JOISTS NOT PARALLEL TO FOUNDATIONS)

Rationale: HCD proposes to adopt the above referenced model code figure and to bring forward existing California amendments. The first amendment provides references to both Figure A3-5 (showing an exterior structural panel) and Figure A3-6 (showing an interior structural panel) since both conditions are shown separately in the figures. The second amendment corrects an incorrect reference for spacing of solid blocking for 1-story buildings to be consistent with other figures referencing similar provisions and deletes the incorrect model code text indicating the joist blocking for 1-story to be 2-2X or 1-2X plate. HCD proposes to correct “ALTERNATE JOIST SPACE” to “ALTERNATE JOIST SPACES”. “Space” should have been “Spaces” this is an editorial correction. There is no intended change in regulatory effect from the 2013 CEBC.

FIGURE A3-8B. TYPICAL FLOOR TO CRIPPLE WALL CONNECTION (FLOOR JOISTS PARALLEL TO FOUNDATIONS)

Rationale: HCD proposes to adopt the above referenced model code figure and to bring forward an existing California amendment. The amendment provides references to both Figure A3-5 (showing an exterior structural panel) and Figure A3-6 (showing an interior structural panel) since both conditions are shown separately in the figures. There is no intended change in regulatory effect from the 2013 CEBC.

FIGURE A3-9. ALTERNATE FLOOR FRAMING TO CRIPPLE WALL CONNECTION

Rationale: HCD proposes to adopt the above referenced model code figure with amendment. HCD proposes to change the model code text "Alternate Joist Space" to read "Alternate Joist Spaces". HCD also proposes to bring forward an existing amendment to provide references to both Figure A3-5 (showing an exterior structural panel) and Figure A3-6 (showing an interior structural panel) since both conditions are shown separately in the figures. There is no intended change in regulatory effect from the 2013 CEBC.

FIGURE A3-10. FLOOR PLAN-CRIPPLE WALL BRACING LAYOUT

Rationale: HCD proposes to adopt the above referenced model code figure with amendment. An editorial correction relocates the text referencing the "Minimum Panel Length of 4 Feet, 0 Inches" for a transverse wall in a 1-story building to provide clarity that no individual panel shall have a length of less than 4 feet for this condition. This amendment was brought forward from the 2013 CEBC. There is no intended change in regulatory effect from the 2013 CEBC.

**21. Appendix A, CHAPTER A4
EARTHQUAKE RISK REDUCTION IN WOOD-FRAME RESIDENTIAL BUILDINGS WITH SOFT, WEAK
OR OPEN FRONT WALLS**

HCD proposes to not adopt Appendix A, Chapter A4 from the 2015 International Existing Building Code.

**22. Appendix A, CHAPTER A5
EARTHQUAKE HAZARD REDUCTION IN EXISTING CONCRETE BUILDINGS**

HCD proposes to not adopt Appendix A, Chapter A5 from the 2015 International Existing Building Code.

**23. Appendix A, CHAPTER A6
REFERENCED STANDARDS**

Referenced Standards

Rationale: HCD proposes to adopt Appendix A, Chapter A6 from the 2015 International Existing Building Code into the 2016 California Existing Building Code with amendments. HCD proposes to strike out the references from sections that are not adopted by HCD.

**24. APPENDIX B
SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR EXISTING BUILDINGS AND FACILITIES**

HCD proposes to not adopt Appendix B from the 2015 International Existing Building Code.

**25. APPENDIX C
GUIDELINES FOR THE WIND RETROFIT OF EXISTING BUILDINGS**

HCD proposes to not adopt Appendix C from the 2015 International Existing Building Code.

**26. RESOURCE A
GUIDELINES ON FIRE RATINGS OF ARCHAIC MATERIALS AND ASSEMBLIES**

HCD proposes to not adopt Resource A from the 2015 International Existing Building Code.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS

(Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.)

None.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

(Government Code Section 11346.2(b)(1) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).)

HCD is statutorily required to adopt by reference model building codes, which contain prescriptive standards. Prescriptive standards provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety and welfare standards for owners, occupants and guests.

Performance standards are permitted by state law; however, they must be demonstrated to the satisfaction of the proper enforcing agency.

CONSIDERATION OF REASONABLE ALTERNATIVES

(Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.)

None. There were no alternatives available to HCD. HCD is required by statute to adopt the model code by reference. The proposed amendments are the only reasonable alternative for clarifying the 2016 CEBC.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

(Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.)

None. There were no alternatives available to HCD. HCD is required by statute to adopt the model code by reference. The proposed amendments have no negative impact on small business.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS

(Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.)

HCD has determined that this regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION.

(Government Code Sections 11346.3(b)(1) and 11346.5(a)(10)).

HCD has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

- The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation or the elimination of existing business within the State of California.

- The expansion of businesses currently doing business with the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

- The benefits of the regulations to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will update and improve minimum existing building standards, which will provide increased protection of public health and safety, worker safety and the environment.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

(Government Code Section 11346.2(b)(6)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.)

- No increased cost of compliance for those regulations that make only technical and nonsubstantive changes.
- The potential benefits provide recognition and appropriate use of new technologies and materials, clarity for the code users and local enforcement agencies, and may increase business due to the adoption of new building standards.
- Protection of public health and safety, worker safety and the environment.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

(Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.)

These regulations do not duplicate nor conflict with federal regulations.