

**EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE ADOPTION BY REFERENCE OF THE
2009 EDITION OF THE UNIFORM MECHANICAL CODE (UMC) WITH PROPOSED
AMENDMENTS INTO THE 2010 CALIFORNIA MECHANICAL CODE (CMC)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4**

The Department of Housing and Community Development (HCD) proposes to adopt the 2009 edition of the Uniform Mechanical Code (UMC) for codification and effectiveness into the 2010 edition of the California Mechanical Code (CMC) as presented on the following pages, including any necessary amendments. HCD further proposes to:

- Repeal the 2007 edition of the California Mechanical Code;
 - Repeal amendments to the model code that are no longer necessary, repeal or amend building standards that are not addressed by a model code;
 - Relocate or codify existing adopted and necessary amendments to the model code into the format of the model code proposed for adoption, the action of which has no regulatory effect; adopt new necessary amendments to the model code proposed for adoption; and/or
 - Adopt new building standards that are not addressed by the model code proposed for adoption
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LEGEND FOR EXPRESS TERMS:

1. **Existing California amendments or code language being modified:** All such language shown in italics, modified language is underlined or shown in ~~strikeout~~.
 2. **UMC language with new California amendments:** UMC language shown in normal Arial 9 point; California amendments to UMC text shown underlined and in italics.
 3. **Repealed text:** All such language shown in ~~strikeout~~.
 4. **Amended, adopted or repealed language after public hearing:** All such language shown in double underline or ~~double strikeout~~.
 5. **Notation:** Authority and Reference citations are provided at the end of each chapter.
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1. HCD proposes to renumber former “California Chapter 1, General Code Provisions (Sections 101.0–108.10.2)” to “Chapter 1, Administration, Division 1 (Sections 1.1.0–1.8.10.2)” and amend as follows:

~~CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS~~

CHAPTER 1
ADMINISTRATION
DIVISION I

~~101.0~~ 1.1.0 *General.*

~~101.1~~ 1.1.1 *Title. These regulations shall be known as the California Mechanical Code, may be cited as such and will be referred to herein as “this code.” The California Mechanical Code is Part 4 of twelve parts of the official compilation and*

publication of the adoptions, amendment, and repeal of ~~M~~mechanical regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part incorporates by adoption the ~~2006~~ 2009 Uniform Mechanical Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments.

~~401.2~~ 1.1.2 Purpose. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation, and energy conservation; safety to preserve life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.

~~401.3~~ 1.1.3 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout the State of California.

~~401.3.1~~ 1.1.3.1 Non-State-Regulated Buildings, Structures, and Applications. Except as modified by local ordinance pursuant to Section ~~404.8~~ 1.1.8, the following building standards in the California Code of Regulations, Title 24, Parts 2, 2.5, 3, 4, 5, 6, 9, ~~and 10~~ and 11 shall apply to all occupancies and applications not regulated by a state agency.

~~401.3.2~~ 1.1.3.2 State-Regulated Buildings, Structures, and Applications. The model code, state amendments to the model code, and/or state amendments where there are no relevant model code provisions, shall apply to the following buildings, structures, and applications regulated by state agencies as referenced in the Matrix Adoption Tables and as specified in Sections ~~402~~ 1.2 through ~~443~~ 1.14, except where modified by local ordinance pursuant to Section ~~404.8~~ 1.1.8. When adopted by a state agency, the provisions of this code shall be enforced by the appropriate enforcing agency, but only to the extent of authority granted to such agency by the State Legislature.

Note: See the Preface to distinguish the model code provisions from the California provisions.

- (1) State-owned buildings, including buildings constructed by the Trustees of the California State University, and to the extent permitted by California laws, buildings designed and constructed by the Regents of the University of California, and regulated by the Building Standards Commission. See Section ~~402~~ 1.2 for additional scope provisions.
- (2) Reserved for Correction Standards Authority. See ~~Section 403~~ 1.3 for additional scope provisions.
- (3) Barbering, cosmetology or electrolysis establishments, ~~establishment~~, acupuncture offices, pharmacies, veterinary facilities, and structural pest control locations regulated by the Department of Consumer Affairs. See Section ~~404~~ 1.4 for additional scope provisions.
- (4) Reserved for the California Energy Commission. See Section ~~405~~ 1.5 for additional scope provisions.
- (5) Reserved for the Department of Food and Agriculture. See Section ~~406~~ 1.6 for additional scope provisions.
- (6) Organized camps, laboratory animal quarters, public swimming pools, radiation protection, commissaries serving mobile food preparation vehicles, and wild animal quarantine facilities regulated by the Department of Public Health Services. See Section ~~407~~ 1.7 for additional scope provisions.
- (7) Hotels, motels, lodging houses, apartment houses, dwellings, dormitories, condominiums, shelters for homeless persons, congregate residences, employee housing, factory-built housing, and other types of dwellings containing sleeping accommodations with or without common toilets or cooking facilities. See Section ~~408~~ 1.8.2.1.1 for additional scope provisions.
- (8) Accommodations for persons with disabilities in buildings containing newly constructed covered multifamily dwellings, new common use spaces serving existing covered multifamily dwellings, additions to existing buildings where the addition alone meets the definition of a ~~covered multifamily dwelling~~ "COVERED MULTIFAMILY DWELLINGS," and common-use spaces serving covered multifamily dwellings which are regulated by the Department of Housing and Community Development. See Section ~~408~~ 1.8.2.1.2 for additional scope provisions.

(9) *Permanent buildings and permanent accessory buildings or structures constructed within mobilehome parks and special occupancy parks regulated by the Department of Housing and Community Development. See Section ~~408~~ 1.8.2.1.3 for additional scope provisions.*

(10) *Accommodations for persons with disabilities regulated by the Division of the State Architect. See Section ~~409.4~~ 1.9.1 for additional scope provisions.*

(11) *Public elementary and secondary schools, community college buildings, and state-owned or state-leased essential service buildings regulated by the Division of the State Architect. See Section ~~409.3~~ 1.9.2 for additional scope provisions.*

(12) *Reserved for the State Historical Building Safety Board with the Division of the State Architect. See Section ~~409.3~~ 1.9.3 for additional scope provisions.*

(13) *General acute care hospitals, acute psychiatric hospitals, skilled nursing and/or intermediate care facilities, clinics licensed by the Department of Public Health Services, and correctional treatment centers regulated by the Office of Statewide Health Planning and Development. See Section ~~410~~ 1.10 for additional scope provisions.*

(14) *Applications regulated by the Office of State Fire Marshal include, but are not limited to, the following in accordance with Section ~~411~~ 1.11:*

1. *Buildings or structures used or intended for use as an:*

1.1. *Asylum, jail,*

1.2. *Mental hospital, hospital, home for the elderly, children's nursery, children's home or institution, school or any similar occupancy of any capacity,*

1.3. *Theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building, or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education,*

1.4. *Small family day care homes, large family day-care homes, residential facilities and residential facilities for the elderly, residential care facilities,*

1.5. *State institutions or other state-owned or state-occupied buildings,*

1.6. *High rise structures,*

1.7. *Motion picture production studios,*

1.8. *Organized camps,*

1.9. *Residential structures,*

2. *Tents, awnings or other fabric enclosures used in connection with any occupancy,*

3. *Fire alarm devices, equipment and systems in connection with any occupancy,*

4. *Hazardous materials, flammable and combustible liquids,*

5. *Public school automatic fire detection, alarm, and sprinkler systems,*

6. *Wildland-urban interface fire areas,*

(15) *Reserved for the State Librarian. See Section ~~442~~ 1.12 for additional scope provisions.*

(16) *Reserved for the Department of Water Resources. See Section ~~443~~ 1.13 for additional scope provisions.*

(17) *Reserved for the State Lands Commission. See Section ~~444~~ 1.14 for additional scope provisions.*

401.4 1.1.4 Appendices. Provisions contained in the appendices of this code shall not apply unless specifically adopted by a state agency or adopted by a local enforcing agency in compliance with Health and Safety Code Sections 18938 (b) and 18938.3 for Building Standards Law, Health and Safety Code Section 17950 for State Housing Law and Health and Safety Code Section 13869.7 for Fire Protection Districts. See Section ~~401.8~~ 1.1.8 of this code.

401.5 1.1.5 Referenced Codes. The codes, standards and publications adopted and set forth in this code, including other codes, standards and publications referred to therein are, by title and date of publication, hereby adopted as standard reference documents of this code. When this code does not specifically cover any subject related to building design and construction, recognized architectural or engineering practices shall be employed. The National Fire Codes and the Fire Protection Handbook of the National Fire Protection Association are permitted to be used as authoritative guides in determining recognized fire-prevention engineering practices.

401.6 1.1.6 Non-Building Standards, Orders and Regulations. Requirements contained in the Uniform Mechanical Code, or in any other referenced standard, code or document, which are not building standards as defined in Health and Safety Code Section 18909, ~~Health and Safety Code~~, shall not be construed as part of the provisions of this code. For non-building standards, orders, and regulations, see other titles of the California Code of Regulations.

401.7 1.1.7 Order of Precedence and Use.

401.7.1 1.1.7.1 Differences. In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern.

401.7.2 1.1.7.2 Specific Provisions. Where a specific provision varies from a general provision, the specific provisions shall apply.

401.7.3 1.1.7.3 Conflicts. When the requirements of this code conflict with the requirements of any other part of the California Building Standards Code, Title 24, the most restrictive requirement shall prevail.

401.8 1.1.8 City, County, or City and County Amendments, Additions or Deletions.

The provisions of this code do not limit the authority of city, county, or city and county governments to establish more restrictive and reasonably necessary differences to the provisions contained in this code pursuant to complying with Section ~~401.8.4~~ 1.1.8.1. The effective date of amendments, additions, or deletions to this code ~~of by city cities, county counties, or city and county counties~~ filed pursuant to Section ~~401.8.4~~ 1.1.8.1 shall be the date filed. However, in no case shall the amendments, additions or deletions to this code be effective any sooner than the effective date of this code.

Local modifications shall comply with Health and Safety Code Section 18941.5 for Building Standards Law, Health and Safety Code Section 17958 for State Housing Law or Health and Safety Code Section 13869.7 for Fire Protection Districts.

401.8.4 1.1.8.1 Findings and Filings.

(1) The city, county, or city and county shall make express findings for each amendment, addition or deletion based upon climatic, topographical, or geological conditions.

Exception: Hazardous building ordinances and programs mitigating unreinforced masonry buildings.

(2) The city, county, or city and county shall file the amendments, additions, or deletions expressly marked and identified as to the applicable findings. Cities, counties, cities and counties, and fire departments shall file the amendments, additions or deletions, and the findings with the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833.

(3) Findings prepared by fire protection districts shall be ratified by the local city, county, or city and county and filed with the California Department of Housing and Community Development, Division of Codes and Standards, P.O. Box 1407, Sacramento, CA 95812-1407 ~~at~~ or 1800 3rd Street, Room 260, Sacramento, CA ~~95844~~ 95811.

401.9 1.1.9 Effective Date of this Code. Only those standards approved by the California Building Standards Commission that are effective at the time an application for building permit is submitted shall apply to the plans and specifications for, and to the construction performed under, that permit. For the effective dates of the provisions contained in this code, see the History Note page of this code.

401.10 1.1.10 Availability of Codes. At least one complete copy of each of Titles 8, 19, 20, 24, and 25 with all revisions shall be maintained in the office of the building official responsible for the administration and enforcement of this code. See Health and Safety Code Section 18942 (d)(1) & and (2).

401.14 1.1.11 Format. This part fundamentally adopts the Uniform Mechanical Code by reference on a chapter-by-chapter basis. Such adoption is reflected in the Matrix Adoption Table of each chapter of this part. When the Matrix Adoption Tables make no reference to a specific chapter of the Uniform Mechanical Code, such chapter of the Uniform Mechanical Code is not adopted as a portion of this code.

401.12 1.1.12 Validity. If any chapter, section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the state as stipulated by statutes, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.

408-0 1.8.0 Department of Housing and Community Development (HCD)

408-1 1.8.1 Purpose. The purpose of this code is to establish the minimum standards requirements necessary to protect the health, safety, and general welfare of the occupants and the public by governing the erection, construction, reconstruction, enlargement, conversion, alteration, repair, moving, removal, demolition, ventilation and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances.

408-2 1.8.2 Authority and Abbreviations

408-2-1 1.8.2.1 General. The Department of Housing and Community Development is authorized by law to promulgate and adopt building standards and regulations for several types of building applications. These applications are grouped and identified by abbreviation in the Matrix Adoption Tables to show which model code sections and amendments are applicable to each application. The applications under the authority of the Department of Housing and Community Development are listed in Sections ~~408-2-1-1~~ 1.8.2.1.1 through ~~408-2-1-3~~ 1.8.2.1.3.

408-2-1-1 1.8.2.1.1 Housing Construction. Application - Hotels, motels, lodging houses, apartment houses, dwellings, dormitories, condominiums, shelters for homeless persons, congregate residences, employee housing, factory-built housing and other types of dwellings containing sleeping accommodations with or without common toilet or cooking facilities including accessory buildings, facilities, and uses thereto. Sections of this code which pertain to applications listed in this section are identified in the Matrix Adoption Table using the abbreviation "HCD 1".

Enforcing Agency: Local building department or the Department of Housing and Community Development.

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990 through 19992; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

408-2-1-2 1.8.2.1.2 Housing Accessibility. Application - Covered multifamily dwellings units as defined in Chapter 11A of the California Code of Regulations, Title 24, Part 2, also known as the California Building Code (CBC) including, but not limited to, lodging houses, dormitories, ~~time-shares~~ timeshares, condominiums, shelters for homeless persons, congregate residences, apartment houses, dwellings, employee housing, factory-built housing and other types of dwellings containing sleeping accommodations with or without common toilet or cooking facilities.

Sections of this code identified in the Matrix Adoption Table by the abbreviation "~~HCD 1/AC~~ HCD 1-AC" require specific accommodations for ~~persons with physical disabilities~~ "PERSONS WITH DISABILITIES"; as defined in Chapter 11A of the CBC. The application of such provisions shall be in conjunction with other requirements of this code and apply only to ~~Group R Occupancies which are newly-constructed covered multifamily dwellings~~ "COVERED MULTIFAMILY DWELLINGS" as defined in Chapter 11A of the CBC. "~~HCD 1/AC~~ HCD 1-AC" applications include, but are not limited to, the following:

- (1) All newly-constructed ~~covered multifamily dwellings~~ "COVERED MULTIFAMILY DWELLINGS" as defined in Chapter 11A of the CBC.

(2) ~~New common use areas~~ "COMMON USE AREAS" as defined in Chapter 11A of the CBC serving existing covered multifamily dwellings.

(3) Additions to existing buildings, where the addition alone meets the definition of ~~a covered multifamily dwelling~~ "COVERED MULTIFAMILY DWELLINGS" as defined in Chapter 11A of the CBC.

(4) Common use areas serving covered multifamily dwellings.

(5) Where any portion of a building's exterior is preserved, but the interior of the building is removed, including all structural portions of floors and ceilings, the building is considered a new building for determining the application of CBC, Chapter 11A.

~~"HCD 1A/G HCD 1-AC"~~ building standards generally do not apply to public use areas or public accommodations such as hotels and motels. Public use areas, public accommodations, and housing which is publicly funded as defined in Chapter 2 ~~Chapter 11A, and Chapter 11B~~ of the CBC, are subject to the Division of the State Architect (~~DSA/AG DSA-AC~~) and are referenced in Section ~~409.4~~ 1.9.1.

Enforcing Agency: Local building department or the Department of Housing and Community Development.

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990 through 19992; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

~~408.2.1.3~~ **1.8.2.1.3 Permanent Buildings in Mobilehome Parks and Special Occupancy Parks.** Application - Permanent buildings, and permanent accessory buildings or structures, constructed within mobilehome parks and special occupancy parks that are under the control and ownership of the park operator. Sections of this code which pertain to applications listed in this section are identified in the Matrix Adoption Table using the abbreviation "HCD 2".

Enforcing Agency: Local building department or other local agency responsible for the enforcement of Health and Safety Code, ~~Division 13, Part 2.1 and Part 2.3, commencing with Sections 18200 for mobilehome parks and Health and Safety Code, Division 13, Part 2.3, commencing with Section and 18860 respectively, for special occupancy parks; or the~~ Department of Housing and Community Development.

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, and 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

~~408.3~~ **1.8.3 Local Enforcing Agency**

~~408.3.1~~ **1.8.3.1 Duties and Powers.** The building department of every city, county or city and county shall enforce all the provisions of law, this code, and the other rules and regulations promulgated by the Department of Housing and Community Development pertaining to the installation, erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition, or arrangement of apartment houses, hotels, motels, lodging houses and dwellings, including accessory buildings, facilities, and uses thereto.

The provisions regulating the erection and construction of dwellings and appurtenant structures shall not apply to existing structures as to which construction is commenced or approved prior to the effective date of these regulations. Requirements relating to use, maintenance and occupancy shall apply to all dwellings and appurtenant structures approved for construction or constructed before or after the effective date of this code.

For additional information regarding the use and occupancy of existing buildings and appurtenant structures, see California Code of Regulations, Title 25, Division 1, Chapter 1, ~~Subsection Subchapter 1, Article 4,~~ commencing with Section 1.

408.3.2 1.8.3.2 Laws, Rules, and Regulations. Other than the building standards contained in this code, and notwithstanding other provisions of law, the statutory authority and location of the laws, rules, and regulations to be enforced by local enforcing agencies are listed by statute in Sections ~~408.3.2.4~~ 1.8.3.2.1 through ~~408.3.2.5~~ 1.8.3.2.5 below:

~~408.3.2.4~~ 1.8.3.2.1 State Housing Law. Refer to the State Housing Law, California Health and Safety Code, Division 13, Part 1.5, commencing with Section 17910, and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, ~~Article 4~~, commencing with Section 1, for the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition, or arrangement of apartment houses, hotels, motels, lodging houses and dwellings, including accessory buildings, facilities, and uses thereto.

~~408.3.2.2~~ 1.8.3.2.2 Mobilehome Parks Act. Refer to the Mobilehome Parks Act, California Health and Safety Code, Division 13, Part 2.1, commencing with Section 18200 and California Code of Regulations, Title 25, Division 1, Chapter 2, ~~Article 4~~, commencing with Section 1000 for mobilehome park administrative and enforcement authority, permits, plans, fees, violations, inspections and penalties both within and outside mobilehome parks.

Exception: Mobilehome parks where the Department of Housing and Community Development is the enforcing agency.

~~408.3.2.3~~ 1.8.3.2.3 Special Occupancy Parks Act. Refer to the Special Occupancy Parks Act, California Health and Safety Code, Division 13, Part 2.3, commencing with Section 18860 and California Code of Regulations, Title 25, Division 1, Chapter 2.2, ~~Article 4~~, commencing with Section 2000 for special occupancy park administrative and enforcement authority, permits, fees, violations, inspections and penalties both within and outside of special occupancy parks.

Exception: Special occupancy parks where the Department of Housing and Community Development is the enforcing agency.

~~408.3.2.4~~ 1.8.3.2.4 Employee Housing Act. Refer to the Employee Housing Act, California Health and Safety Code, Division 13, Part 1, commencing with Section 17000 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3, ~~Article 4~~, commencing with Section 600 for employee housing administrative and enforcement authority, permits, fees, violations, inspections and penalties.

~~408.3.2.5~~ 1.8.3.2.5 Factory-Built Housing Law. Refer to the Factory-Built Housing Law, California Health and Safety Code, Division 13, Part 6, commencing with Section 19960 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, ~~Article 4~~, commencing with Section 3000 for factory-built housing administrative and enforcement authority, permits, fees, violations, inspections and penalties.

408.4 1.8.4 Permits, Fees, Applications and Inspections

408.4.1 1.8.4.1 Permits. A written construction permit shall be obtained from the enforcing agency prior to the erection, construction, reconstruction, installation, relocation, or alteration of any mechanical system.

Exceptions:

(1) Work exempt from permits as specified in ~~Appendix~~ Chapter 1, Administration, Division II, Sections 112.2 through 112.2.5 of this code.

(2) Changes, alterations, or repairs of a minor nature not affecting structural features, egress, sanitation, safety or accessibility as determined by the enforcing agency.

Exemptions from permit requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of other provisions of law or this code.

408.4.2 1.8.4.2 Fees. Subject to other provisions of law, the governing body of any city, county, or city and county may prescribe fees to defray the cost of enforcement of rules and regulations promulgated by the Department of Housing and Community Development. The amount of the fees shall not exceed the amount reasonably necessary to administer or process permits, certificates, forms, or other documents, or to defray the costs of enforcement. For additional information, see State Housing Law, Health and Safety Code, Division 13, Part 1.5, Section 17951 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 3, commencing with Section 6.

1.8.4.3 Plan Review and Time Limitations. Subject to other provisions of law, provisions related to plan checking, prohibition of excessive delays, and contracting with or employment of private parties to perform plan checking are set forth in the State Housing Law, Health and Safety Code Section 17960.1, and for employee housing, in Health and Safety Code Section 17021.

1.8.4.3.1 Retention of Plans. The building department of every city, county or city and county shall maintain an official copy, microfilm, or electronic or other type of photographic copy of the plans of every building, during the life of the building, for which the department issued a building permit.

Exceptions:

- (1) Single or multiple dwellings not more than two stories and basement in height.
- (2) Garages and other structures appurtenant to buildings listed in ~~e~~Exception (1).
- (3) Farm or ranch buildings appurtenant to buildings listed in ~~e~~Exception (1).
- (4) Any one-story building where the span between bearing walls does not exceed 25 feet (7620 mm), except a steel frame or concrete building.

All plans for common interest developments as defined in Section 1351 of the California Civil Code shall be retained. For additional information regarding plan retention and reproduction of plans by an enforcing agency, see Health and Safety Code Sections 19850 through 19852.

1.8.4.4 Inspections. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or other regulations of the Department of Housing and Community Development.

1.8.5 Right of Entry for Enforcement

1.8.5.1 General. Subject to other provisions of law, officers and agents of the enforcing agency may enter and inspect public and private properties to secure compliance with the rules and regulations promulgated by the Department of Housing and Community Development. For limitations and additional information regarding enforcement, see the following:

- (1) For applications subject to State Housing Law as referenced in Section ~~408.3.2.4~~ 1.8.3.2.1 of this code, refer to Health and Safety Code, Division 13, Part 1.5, commencing with Section 17910 Sections 17970 through 17972 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, commencing with Section 1.
- (2) For applications subject to the Mobilehome Parks Act as referenced in Section ~~408.3.2.2~~ 1.8.3.2.2 of this code, refer to ~~the~~ Health and Safety Code, Division 13, Part 2.1, commencing with Section 18200, and California Code of Regulations, Title 25, Division 1, Chapter 2, commencing with Section 1000.
- (3) For applications subject to the Special Occupancy Parks Act as referenced in Section ~~408.3.2.3~~ 1.8.3.2.3 of this code, refer to ~~the~~ Health and Safety Code, Division 13, Part 2.3, commencing with Section 18860, and California Code of Regulations, Title 25, Division 1, Chapter 2.2, commencing with Section 2000.
- (4) For applications subject to the Employee Housing Act as referenced in Section ~~408.3.2.4~~ 1.8.3.2.4 of this code, refer to Health and Safety Code, Division 13, Part 1, commencing with Section 17000 17952 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3, commencing with Section 600.
- (5) For applications subject to the Factory-Built Housing ~~Act~~ Law as referenced in Section ~~408.3.2.5~~ 1.8.3.2.5 of this code, refer to Health and Safety Code, Division 13, Part 6, commencing with Sections 19960 19994 through 19992 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, commencing with Section 3000.

1.8.6 Local Modification by Ordinance or Regulation

1.8.6.1 General. Subject to other provisions of law, a city, county or city and county may make changes to the provisions adopted by the Department of Housing and Community Development. If any city, county or city and county does not amend, add, or repeal by local ordinances or regulations the provisions published in this code or other

regulations promulgated by the Department of Housing and Community Development, those provisions shall be applicable and shall become effective 180 days after publication by the California Building Standards Commission. Amendments, additions, and deletions to this code adopted by a city, county or city and county pursuant to California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5, together with all applicable portions of this code, shall also become effective 180 days after publication of the California Building Standards Code by the California Building Standards Commission.

~~408.6.2~~ 1.8.6.2 Findings, Filings, and Rejections of Local Modifications. Prior to making any modifications or establishing more restrictive building standards, the governing body shall make express findings and filings, as required by California Health and Safety Code Section 17958.7, ~~stating their findings and~~ showing that such modifications are reasonably necessary due to local climatic, geological, or topographical conditions. No modification shall become effective or operative unless the following requirements are met:

- (1) The express findings shall be made available as a public record.
- (2) A copy of the modification and express finding, each document marked to cross-reference the other, shall be filed with the California Building Standards Commission for ~~cities, counties, or cities and counties~~ a city, county or city and county, and with the Department of Housing and Community Development for fire protection districts.
- (3) The California Building Standards Commission has not rejected the modification or change.

Nothing in this section shall limit the authority of fire protection districts pursuant to California Health and Safety Code Section 13869.7(a).

~~408.7~~ 1.8.7. Alternate Materials, Designs, Tests and Methods of Construction

~~408.7.1~~ 1.8.7.1 General. The provisions of this code as adopted by the Department of Housing and Community Development are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, design or method of construction not specifically prescribed by this code. Consideration and approval of alternates shall comply with Section ~~408.7.2~~ 1.8.7.2 for local building departments and Section ~~408.7.3~~ 1.8.7.3 for the Department of Housing and Community Development.

~~408.7.2~~ 1.8.7.2 Local Building Departments. The building department of any city, county or city and county may approve alternates for use in the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition or arrangement of an apartment houses, hotels, motels, lodging houses, dwellings, or an ~~including~~ accessory structure ~~buildings, facilities, and uses thereto~~, except for the following:

- (1) Structures located in mobilehome parks as defined in California Health and Safety Code Section 18214.
- (2) Structures located in special occupancy parks as defined in California Health and Safety Code Section 18862.43.
- (3) Factory-built housing as defined in California Health and Safety Code Section 19971.

~~408.7.2.1~~ 1.8.7.2.1 Approval of Alternates. The consideration and approval of alternates by a local building department shall comply with the following procedures and limitations:

- (1) The approval shall be granted on a case-by-case basis.
- (2) Evidence shall be submitted to substantiate claims that the proposed alternate, in performance, safety, and ~~for the~~ protection of life and health, conforms to, or is at least equivalent to, the standards contained in this code and other rules and regulations promulgated by the Department of Housing and Community Development.
- (3) The local building department may require tests performed by an approved testing agency at the expense of the owner or owner's agent as proof of compliance.
- (4) If the proposed alternate is related to accessibility in covered multifamily dwellings or facilities serving ~~covered multifamily dwellings~~ "COVERED MULTIFAMILY DWELLINGS" as defined in Chapter 11A of the CBC, the proposed alternate must also meet the threshold set for "EQUIVALENT FACILITATION" as defined in Chapter 11A of the CBC.

For additional information regarding approval of alternates by a local building department pursuant to the State Housing Law, see California Health and Safety Code Section 17951(e) and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1.

408-7.3 1.8.7.3 Department of Housing and Community Development. The Department of Housing and Community Development may approve alternates for use in the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal or demolition of an apartment house, hotel, motel, lodging house, dwelling, or an accessory thereto. The consideration and approval of alternates shall comply with the following:

- (1) The Department may require tests at the expense of the owner or owner's agent to substantiate compliance with the California Building Standards Code.
- (2) The approved alternate shall, for its intended purpose, be at least equivalent in performance and safety to the materials, designs, tests, or methods of construction prescribed by this code.

408-8 1.8.8 Appeals Board

408-8.1 1.8.8.1 General. Every city, county or city and county, shall establish a local appeals board and a housing appeals board. The local appeals board and housing appeals board shall each be comprised of at least five voting members who shall serve at the pleasure of the city, county or city and county. Appointees shall not be employees of the jurisdiction and shall be qualified and specifically knowledgeable in the California Building Standards Codes and applicable local ordinances.

408-8.2 1.8.8.2 Definitions. The following terms shall for the purposes of this section have the meaning shown.

Housing Appeals Board. The board or agency of a city, county or city and county which is authorized by the governing body of the city, county or city and county to hear appeals regarding the requirements of the city, county or city and county relating to the use, maintenance, and change of occupancy of buildings and structures, including requirements governing alteration, additions, repair, demolition, and moving. In any area in which there is no such board or agency, "~~H~~Housing a~~Appeals b~~Board" means the local appeals board having jurisdiction over the area.

Local Appeals Board. The board or agency of a city, county or city and county which is authorized by the governing body of the city, county or city and county to hear appeals regarding the building requirements of the city, county or city and county. In any area in which there is no such board or agency, "~~L~~Local a~~Appeals b~~Board" means the governing body of the city, county or city and county having jurisdiction over the area.

408-8.3 1.8.8.3 Appeals. Except as otherwise provided by law, any person, firm, or corporation adversely affected by a decision, order, or determination by a city, county or city and county relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any lawfully enacted ordinance by a city, county or city and county, may appeal the issue for resolution to the local appeals board or housing appeals board as appropriate.

The local appeals board shall hear appeals relating to new building construction and the housing appeals board shall hear appeals relating to existing buildings.

408-9 1.8.9 Unsafe Buildings or Structures

408-9.1 1.8.9.1 Authority to Enforce. ~~S~~Subject to other provisions of law, the administration, enforcement, actions, proceedings, abatement, violations and penalties for unsafe buildings and structures are contained in the following statutes and regulations:

- (1) For applications subject to State Housing Law as referenced in Section ~~408-3.2-4~~ 1.8.3.2.1 of this code, refer to Health and Safety Code, Division 13, Part 1.5, commencing with Sections 17910 through 17995.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, commencing with Section 1.
- (2) For applications subject to the Mobilehome Parks Act as referenced in Section ~~408-3.2-2~~ 1.8.3.2.2 of this code, refer to ~~the~~ Health and Safety Code, Division 13, Part 2.1, commencing with Section 18200 and California Code of Regulations, Title 25, Division 1, Chapter 2, commencing with Section 1000.

(3) For applications subject to the Special Occupancy Parks Act as referenced in Section ~~408.3.2.3~~ 1.8.3.2.3 of this code, refer to ~~the~~ Health and Safety Code, Division 13, Part 2.3, commencing with Section 18860 and California Code of Regulations, Title 25, Division 1, Chapter 2.2, commencing with Section 2000.

(4) For applications subject to the Employee Housing Act as referenced in Section ~~408.3.2.4~~ 1.8.3.2.4 of this code, refer to Health and Safety Code, Division 13, Part 1, commencing with Sections 17000 through 17062.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3, commencing with Section 600.

(5) For applications subject to the Factory-Built Housing Act ~~Law~~ as referenced in Section ~~408.3.2.5~~ 1.8.3.2.5 of this code, refer to Health and Safety Code, Division 13, Part 6, commencing with Sections 19960 through 19997 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, commencing with Section 3000.

~~408.9.2~~ 1.8.9.2 Actions and Proceedings. Subject to other provisions of law, punishments, penalties and fines for violations of building standards are contained in the following statutes and regulations:

(1) For applications subject to the State Housing Law as referenced in Section ~~408.3.2.1~~ 1.8.3.2.1 of this code, refer to Health and Safety Code, Division 13, Part 1.5, commencing with Sections 17910 through 17995.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, commencing with Section 1.

(2) For applications subject to the Mobilehome Parks Act as referenced in Section ~~408.3.2.2~~ 1.8.3.2.2 of this code, refer to Health and Safety Code, Division 13, Part 2.1, commencing with Sections 18200 through 18700 and California Code of Regulations, Title 25, Division 1, Chapter 2, commencing with Section 1000.

(3) For applications subject to the Special Occupancy Parks Act as referenced in Section ~~408.3.2.3~~ 1.8.3.2.3 of this code, refer to Health and Safety Code, Division 13, Part 2.3, commencing with Sections 18860 through 18869 and California Code of Regulations, Title 25, Division 1, Chapter 2.2, commencing with Section 2000.

(4) For applications subject to the Employee Housing Act as referenced in Section ~~408.3.2.4~~ 1.8.3.2.4 of this code, refer to Health and Safety Code, Division 13, Part 1, commencing with Sections 17000 through 17062.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3, commencing with Section 600.

(5) For applications subject to the Factory-Built Housing Act ~~Law~~ as referenced in Section ~~408.3.2.5~~ 1.8.3.2.5 of this code, refer to Health and Safety Code, Division 13, Part 6, commencing with Sections 19960 through 19997 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, commencing with Section 3000.

~~408.10~~ 1.8.10 Other Building Regulations

~~408.10.1~~ 1.8.10.1 Existing Structures. Notwithstanding other provisions of law, the replacement, retention, and extension of original materials and the use of original methods of construction for any existing building or accessory structure, or portions thereof, shall be permitted. For additional information, see California Health and Safety Code, Sections 17912 and 17958.8.

~~408.10.2~~ 1.8.10.2 Moved Structures. Subject to the requirements of California Health and Safety Code Sections 17922.3 and 17958.9, local ordinances or regulations relating to a moved residential building or accessory structure thereto, shall, after July 1, 1978, permit the retention of existing materials and methods of construction so long as the structure does not become or continue to be a substandard building.

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

1-A. HCD proposes to amend the heading of former “Appendix Chapter 1, Administration” to “Chapter 1, Administration, Division II” as follows. Additionally, HCD proposes to adopt Sections 112.2, 112.2.1, 112.2.2, 112.2.3, 112.2.4 and 112.2.5 without amendment:

~~APPENDIX~~ CHAPTER 1

ADMINISTRATION

DIVISION II

(Chapter 1, Administration, Division II, has been relocated from Appendix Chapter 1)

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

2. HCD proposes to adopt Chapter 2 with amendments as follows:

CHAPTER 2

DEFINITIONS

203.0

-A-

APPROVED – Acceptable to the Authority Having Jurisdiction.

Exception:[HCD 1 & HCD 2] *“Approved” means meeting the approval of the Enforcing Agency, except as otherwise provided by law, when used in connection with any system, material, type of construction, fixture or appliance as the result of investigations and tests conducted by the agency, or by reason of accepted principles or tests by national authorities, or technical, health, or scientific organizations or agencies.*

Notes:

(1) See Health and Safety Code Section 17920 for “Approved” as applied to residential construction and buildings or structures accessory thereto, as referenced in Sections ~~408.2.1.1~~ 1.8.2.1.1 and ~~408.2.1.2~~ 1.8.2.1.2

(2) See Health and Safety Code Section 17921.1 for “Approved” as applied to the use of hotplates in residential construction referenced in Sections ~~408.2.1.1~~ 1.8.2.1.1 and ~~408.2.1.2~~ 1.8.2.1.2

(3) See Health and Safety Code Section 17921.3 for “Approved” as applied to low-flush water closets in residential construction, as referenced in Sections ~~408.2.1.1~~ 1.8.2.1.1 and ~~408.2.1.2~~ 1.8.2.1.2

(4) See Health and Safety Code Section 19966 for “Approved” as applied to Factory-Built Housing as referenced in Sections ~~408.2.1.1~~ 1.8.2.1.1 and ~~408.2.1.2~~ 1.8.2.1.2

(5) See Health and Safety Code Section 18201 for “Approved” as applied to Mobilehome Parks as referenced in Section ~~408.2.1.3~~ 1.8.2.1.3

(6) See Health and Safety Code Section 18862.1 for “Approved” as applied to Special Occupancy Parks as referenced in Section ~~408.2.1.3~~ 1.8.2.1.3

APPROVED TESTING AGENCY – An organization primarily established for purposes of testing to approved standards and approved by the Authority Having Jurisdiction. [UPC: 203.0] **[HCD 1 & HCD 2]** *“Approved Testing Agency” is any agency which is determined by the Enforcing Agency, except as otherwise provided by statute, to have adequate personnel and expertise to carry out the testing of systems, materials, and various types of construction, fixtures or appliances.*

ASSEMBLY BUILDING – A building or a portion of a building used for the gathering together of fifty (50) or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking, dining or awaiting transportation. **[HCD 1 & HCD 2]** *Refer to the California Building Code, Title 24, Part 2 for use and occupancy classification.*

AUTHORITY HAVING JURISDICTION – The organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, installations, or procedures. The Authority Having Jurisdiction shall be a federal, state, local, or other regional department or an individual such as a plumbing official, mechanical official, labor department, official; health department official, building official, or others having statutory authority. In the absence of a statutory authority, the Authority Having Jurisdiction may be some other responsible party. This definition shall include the Authority Having Jurisdiction’s duly authorized representative. **[HCD 1 & HCD 2]** *“Authority Having Jurisdiction” shall mean “ENFORCING AGENCY” as defined in Section 207.0 of this code.*

204.0 **-B-**

BUILDING – **[HCD 1 & HCD 2]** *Any structure used or intended for supporting or sheltering any use or occupancy.*

Exceptions: *“Building” shall not include the following:*

- (1) Any mobilehome as defined in Health and Safety Code Section 18008.*
- (2) Any manufactured home as defined in Health and Safety Code Section 18007.*
- (3) Any commercial modular as defined in Health and Safety Code Section 18001.8 or any special purpose commercial modular as defined in Health and Safety Code Section 18012.5.*
- (4) Any recreational ~~v~~vehicle as defined in Health and Safety Code Section 18010.*
- (5) Any ~~multi-unit~~ multifamily manufactured housing home, as defined in Health and Safety Code Section 18008.7.*

For additional information, see Health and Safety Code Section 18908.

BUILDING CODE – The building code that is adopted by this jurisdiction. **[HCD 1 & HCD 2]** *“Building Code” shall mean the California Building Code, Title 24, Part 2.*

206.0 **-D-**

DEPARTMENT – **[HCD 1 & HCD 2]** ~~*For applications listed in Section 108.2 regulated by the Department of Housing and Community Development,*~~ *“Department” means the Department of Housing and Community Development.*

207.0 **-E-**

ELECTRICAL CODE – The National Electrical Code promulgated by the National Fire Protection Association, as adopted by this jurisdiction. **[HCD 1 & HCD 2]** *Whenever the term “Electrical Code” is used in this code, it shall mean the California Electrical Code, Title 24, Part 3.*

~~**Enforcing Agency**~~ **ENFORCING AGENCY** – **[HCD 1 & HCD 2]** *“Enforcing Agency” is the designated department or agency as specified by statutes and regulation.*

208.0 **-F-**

FAMILY ~~**[HCD 1 & HCD 2]**~~ – *“Family” is an individual or two or more persons who are related by blood or marriage, or otherwise, live together in a dwelling unit.*

214.0**-L-**

LABELED – Equipment or materials bearing a label of a listing agency (accredited conformity assessment body). See **Listed (Third Party Certified)**. [UPC: 214.0] **[HCD 1 & HCD 2]** “Labeled” means equipment or materials to which has been attached a label, symbol or other identifying mark of an organization, approved by the Department, that maintains a periodic inspection program of production of labeled products, installations, equipment, or materials and by whose labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.

LISTED (THIRD PARTY CERTIFIED) – Equipment or materials included in a list published by a listing agency (accredited conformity assessment body) that maintains periodic inspection on current production of listed equipment or materials and whose listing states either that the equipment or material complies with approved standards or has been tested and found suitable for use in a specified manner. [UPC: 214.0] **[HCD 1 & HCD 2]** “Listed” means all products that appear in a list published by an approved testing or listing agency. For additional information, see Health and Safety Code Section 17920(h).

LISTING AGENCY – An agency accredited by an independent and authoritative conformity assessment body to operate a material and product listing and labeling (certification) system and that is accepted by the Authority Having Jurisdiction, which is in the business of listing or labeling. The system includes initial and ongoing product testing, a periodic inspection on current production of listed (certified) products, and that makes available a published report of such listing in which specific information is included that the material or product conforms to applicable standards and found safe for use in a specific manner. [UPC: 214.0] **[HCD 1 & HCD 2]** “Listing Agency” means an agency approved by the Department that is in the business of listing and labeling products, materials, equipment, and installations tested by an approved testing agency, and that at least annually makes available a published report of these listings. For additional information, see Health and Safety Code Section 17920(i).

216.0**-N-**

NUISANCE – **[HCD 1 & HCD 2]** “Nuisance” shall mean any nuisance as defined in Health and Safety Code Section 17920(k).

Notes:

1. For applications subject to the Mobilehome Parks Act as referenced in Section ~~408.3.2.2~~ 1.8.3.2.2 of this code, refer to California Code of Regulations, Title 25, Division 1, Chapter 2 ~~of~~ for the definition of “Nuisance”.
2. For applications subject to the Special Occupancy Parks Act as referenced in Section ~~408.3.2.3~~ 1.8.3.2.3 of this code, refer to California Code of Regulations, Title 25, Division 1, Chapter 2.2 for the definition of “Nuisance”.

217.0**-O-**

OCCUPANCY CLASSIFICATION – Classifications are defined in the California Building Code. **[HCD 1 & HCD 2]** ~~Refer to the California Building Code, Title 24, Part 2 for use and occupancy classification.~~ Whenever the term “Building Code” is used in this code, it shall mean the California Building Code, Title 24, Part 2.

218.0**-P-**

PLUMBING CODE – The Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials, as adopted by this jurisdiction. **[HCD 1 & HCD 2]** Whenever the term “Plumbing Code” is used in this code, it shall mean the California Plumbing Code, Title 24, Part 5.

222.0**-T-**

TESTING AGENCY – **[HCD 1 & HCD 2]** See “Approved Testing Agency”.

223.0**-U-**

UMC – **[HCD 1 & HCD 2]** The most recent edition of the Uniform Mechanical Code published by the International Association of Plumbing and Mechanical Officials.

UMC STANDARDS – [HCD 1 & HCD 2] The Uniform Mechanical Code Standards listed in Appendix A of the most recent edition of the Uniform Mechanical Code published by the International Association of Plumbing and Mechanical Officials.

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

3. HCD proposes to adopt Chapter 3 with amendments as follows:

**CHAPTER 3
GENERAL REQUIREMENTS**

~~304.7~~ 303.7 Liquefied Petroleum Gas Appliances. [HCD 1 & HCD 2] Liquefied petroleum gas-burning appliances shall not be installed in a pit, basement or similar location where heavier-than-air gas might collect. Appliances so fueled shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

4. HCD proposes to adopt Chapter 4 without amendments:

**CHAPTER 4
VENTILATION AIR SUPPLY**

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

5. HCD proposes to adopt Chapter 5 without amendments:

CHAPTER 5 EXHAUST SYSTEMS

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

6. HCD proposes to adopt Chapter 6 with amendments as follows:

CHAPTER 6 DUCT SYSTEMS

601.2 Sizing Requirements. Duct systems used with blower-type equipment that are portions of a heating, cooling, absorption, evaporative cooling, or outdoor-air ventilation system shall be sized in accordance with Chapter 17, or by other approved methods.

Exception: [HCD 1 & HCD 2] Duct sizing calculations are not required for existing duct systems.

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

7. HCD proposes to adopt Chapter 7 without amendments:

CHAPTER 7 COMBUSTION AIR

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

8. HCD proposes to adopt Chapter 8 without amendments:

CHAPTER 8 CHIMNEYS AND VENTS

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

9. HCD proposes to adopt Chapter 9 with amendments as follows:

CHAPTER 9 INSTALLATION OF SPECIFIC APPLIANCES

924.1 Prohibited Installations. Unless specifically permitted by the Authority Having Jurisdiction, unvented room heaters shall not be installed as primary heat sources. Unvented room heaters shall not be permitted in spaces that do not have the required volume of indoor air as defined in Section 701.2.

[HCD 1 & HCD 2] *Unvented fuel-burning room heaters shall not be installed, used, maintained, or permitted to exist in a Group R Occupancy.*

924.1.1 Unvented room heaters shall not be installed in bathrooms or bedrooms. [NFPA 54:10.23.1]. This subsection shall not apply to portable oil fired unvented heating appliances used as supplemental heating in Group S, Divisions 3, 4, and 5, and Group U Occupancies, and regulated by the Fire Code.

Exceptions:

(1) Where approved by the Authority Having Jurisdiction, one listed wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system shall be permitted to be installed in a bathroom provided that the input rating shall not exceed 6,000 Btu/hr. (1,760 W/hr) and combustion and ventilation air is provided as specified in Section 701.2. [NFPA 54:10.23.1]

(2) Where approved by the Authority Having Jurisdiction, one listed wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system shall be permitted to be installed in a bedroom provided that the input rating shall not exceed 10,000 Btu/hr. (2,930 W/hr.) and combustion and ventilation air is provided as specified in Section 701.2. [NFPA 54:10.23.1]

[HCD 1 & HCD 2] *Unvented fuel-burning room heaters shall not be installed, used, maintained, or permitted to exist in a Group R Occupancy.*

~~932.0 Warm Air Furnaces Located in Under-Floor Spaces.~~

[HCD 1 & HCD 2] *Warm air furnaces in under-floor spaces shall comply with Sections 932.1 through 932.5 of this code:*

~~932.1~~ *Clearance from combustibles shall be as specified in Section 304.1.*

~~932.2~~ *An access opening and passageway of a height and width sufficient to permit removal of the furnace, but in no case less than thirty (30) inches by thirty (30) inches (762 mm x 762 mm), shall be provided to the working space in front of the furnace. The access opening to the passageway shall be through an opening in an exterior wall of the building or through a trap door within the building. The distance from the passageway access to the center line of the working space in front of the furnace burner shall not exceed twenty (20) feet (6096 mm) measured along the center line of the passageway.*

932.3 *A furnace supported from the ground shall rest on a concrete slab extending not less than three (3) inches (76 mm) above the adjoining ground level.*

932.4 *The lowest portion of a suspended furnace shall have a clearance of at least six (6) inches (152 mm) from the ground. Excavation necessary to install a furnace shall extend to a depth of six (6) inches (152 mm) below and twelve (12) inches (305 mm) on all sides of the furnace, except the control side, which shall have thirty (30) inches (762 mm). If the depth of the excavation for either furnace or passageway exceeds twelve (12) inches (305 mm), walls of the excavation shall be lined with concrete or masonry extending four (4) inches (102 mm) above the adjoining ground level. In floodplain areas the entire crawl space grade or height shall provide twelve (12) inch (305 mm) clearance between the bottom of the furnace and the ground.*

932.5 *A permanent electric outlet and lighting fixture controlled by a switch located at the passageway opening shall be provided at or near the furnace.*

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

10. HCD proposes to adopt Chapter 10 without amendments:

CHAPTER 10 STEAM AND HOT WATER BOILERS

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

11. HCD proposes to adopt Chapter 11 with amendments as follows:

CHAPTER 11 REFRIGERATION

1106.3.1 Unauthorized Access to Refrigerant Ports. *Outdoor connections for filling the system with refrigerant shall be protected from unauthorized access by a means acceptable to the Enforcing Agency.*

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

12. HCD proposes to adopt Chapter 12 without amendments:

CHAPTER 12 HYDRONICS

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

13. HCD proposes to adopt Chapter 13 without amendments:

CHAPTER 13 FUEL GAS PIPING

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

14. HCD proposes to not adopt Chapter 14.

CHAPTER 14 PROCESS PIPING

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

15. HCD proposes to adopt Chapter 15, Section 1500.0 only, with amendments as follows:

CHAPTER 15 SOLAR SYSTEMS

1500.0 General. *[For HCD 1] For applications listed in Section ~~408.2~~ 1.8.2 regulated by the Department of Housing and Community Development, see Health and Safety Code Section 17959.1 and Civil Code Section 801.5.*

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

16. HCD proposes to adopt Chapter 16 without amendments:

**CHAPTER 16
STATIONARY POWER PLANTS**

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

17. HCD proposes to adopt Chapter 17 without amendments:

**CHAPTER 17
STANDARDS**

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

18. HCD proposes to adopt Appendix A without amendments:

**APPENDIX A
UNIFORM MECHANICAL CODE STANDARDS 2-2, 6-2 & 6-5**

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

19. HCD proposes to not adopt Appendix B.

APPENDIX B

PROCEDURES TO BE FOLLOWED TO PLACE GAS EQUIPMENT IN OPERATION

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

20. HCD proposes to not adopt Appendix C.

APPENDIX C

INSTALLATION AND TESTING OF OIL (LIQUID) FUEL-FIRED EQUIPMENT

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

21. HCD proposes to adopt Appendix D without amendments:

APPENDIX D

UNIT CONVERSION TABLES

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.
