

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
OFFICE OF THE STATE FIRE MARSHAL (SFM)  
REGARDING THE ADOPTION BY REFERENCE OF THE  
2009 EDITION OF THE UNIFORM PLUMBING CODE (UPC)  
WITH AMENDMENTS INTO THE 2010 CALIFORNIA PLUMBING CODE (CPC)  
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 5**

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The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE AND RATIONALE**

(Government Code Section 11346.2)

The specific purpose of this rulemaking effort by the Office of the State Fire Marshal is to act accordance with Health and Safety Code section 18928, which requires all proposed regulations to specifically comply with this section in regards to the adoption by reference with amendments to a model code within one year after its publication.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in the 2009 Uniform Plumbing Code and be published as the 2010 California Plumbing Code.

The general purpose of this proposed action is principally intended to update and codify a new edition of the California Plumbing Code (California Code of Regulations, Title 24, Part 5) based upon a more current edition of a model code. The current California Plumbing Code in effect is the 2007 California Plumbing Code which is based upon the 2006 Uniform Plumbing Code of the International Plumbing and Mechanical Officials. This proposed action:

- Repeal the adoption by reference of the 2006 Uniform Plumbing Code of the International Plumbing and Mechanical Officials and incorporate and adopt by reference in its place the 2009 Uniform Plumbing Code of the International Plumbing and Mechanical Officials for application and effectiveness in the 2010 California Plumbing Code pursuant to Health and Safety Code 18928. Health and Safety Code 18928 requires any state agency adopting model codes to adopt the most recent edition.
- Repeal certain amendments to the 2006 Uniform Plumbing Code and/or California Building Standards not addressed by the model code that are no longer necessary pursuant with Health and Safety Code 18930(a)(7)..
- Adopt new building standards or necessary amendments to the 2009 Uniform Mechanical Code that address inadequacies of the 2009 Uniform Plumbing Code as they pertain to California laws.
- Bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2007 California Building Standards Code.
- Codify non-substantive editorial and formatting amendments from the format based upon the 2006 Uniform Plumbing Code to the format of the 2009 Uniform Plumbing Code.

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The specific purpose and rationale of each adoption, amendment, or repeal is as follows:

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[1]

**CHAPTER 1  
DIVISION I  
CALIFORNIA GENERAL CODE PROVISIONS**

The SFM propose to create two Divisions within Chapter 1 for existing administrative provisions being brought forward and administrative provisions contained in the 2009 UPC. The creation of two divisions is a result of and direction made by the California Building Standards Commissions, Code Coordinating Council and Stakeholder discussions regarding relocating the base model code administrative provisions from an appendix to Chapter 1 of the code. The SFM proposes to distinguish the California Chapter 1 administrative provisions from those of the base model code Chapter 1 administrative provisions by renumbering the California administrative sections.

**Sections 1.1 – 1.1.12**

The SFM is proposing to maintain the adoption of those existing California regulations contained Sections 1.1 through 1.1.12 with modification.

The SFM proposes to update the UPC reference from 2006 to 2009, and to make changes to provide consistency with other Parts of Title 24, administrative provisions. The SFM proposes to make nonsubstantive reference, grammatical, and punctuation corrections to Sections 1.1 through 1.1.12 for consistency with the Chapter 1, General Code Provisions of Title 24, Parts 2, 3, 4, 5, and 9. The SFM proposes modifications to 1.1.5 to further clarify that the National Fire Code also include the National Fire Code Standards by adding the term “standards”. The SFM proposes modifications to Section 1.1.8.1 are proposed to revise the mailing address for the Department of Housing and Community Developments (HCD) from a physical address to a post office box for mailings of findings to be filed with HCD. The SFM proposes modifications to clarify in Section 1.1.10 that complete copies of specified California Code of Regulations Titles are required to be maintained at the building official's office. These amendments do not create a change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[1.1]

**Sections 1.11 – 1.11.10**

The SFM is proposing to maintain the adoption of those existing California regulations contained Sections 1.11 through 1.11.10 with modification. The SFM proposes to distinguish the California Chapter 1 administrative provisions from those of the base model code Chapter 1 administrative provisions by renumbering the California administrative sections.

SFM proposes to make nonsubstantive reference, grammatical, and punctuation corrections to Sections 1.11 through 1.11.10 for consistency with the Chapter 1, General Code Provisions of Title 24, Parts 2, 3, 4, 5, and 9. SFM proposes modifications to 1.11.1 to further clarify the authority and reference for applications regulated by the SFM. The SFM proposes modifications to clarify in Section 1.11.2.1.2 enforcement responsibilities for state owned buildings, state occupied buildings, and state institutions. SFM proposes modifications to remove obsolete language and terminology from Section 1.11.3.1 for public school plans and specifications and annual submission. These amendments do not create a change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[1.2]

**CHAPTER 1  
DIVISION II**

The SFM proposes the Division II designation for the UPC Chapter 1 Administrative provisions - Sections 101 through 117.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[2]

**CHAPTER 2  
DEFINITIONS**

The SFM proposes to adopt Chapter 2 with amendment and California regulation. Furthermore, the SFM is maintaining the adoption of those existing California definitions or model code definitions as amended in Chapter 2 without modification. The SFM is proposing adoption of this Chapter with amendment as shown in the corresponding Matrix Adoption Table pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The SFM proposes to repeal amendments or California regulations for the term U.P.C. The term U.P.C. is no longer used by the SFM in the CPC and is no longer necessary.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[3]

**CHAPTER 3  
GENERAL REQUIREMENTS**

The SFM is proposing the adoption of specific Sections in Chapter 3 with amendment as shown in the corresponding Matrix Adoption Table pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2. Furthermore the SFM is maintaining the adoption of those existing California regulations or Sections as amended in Chapter 6 without modification.

**311.9**

The SFM proposes editorial revisions to the above section to renumber to 311.9.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

[4]

**CHAPTER 4  
PLUMBING FIXTURES AND FIXTURE FITTINGS**

The SFM proposes to not adopt Chapter 4 pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[5]

**CHAPTER 5  
WATER HEATERS**

The SFM is maintaining the adoption of those existing California regulations or Sections as amended in Chapter 5 without modification. The SFM is proposing adoption of this Chapter as amended as shown in the corresponding Matrix Adoption Table pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

**508.2**

The above Section as amended or Section containing California regulations are brought forward without modification. There is no change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[6]

**CHAPTER 6  
WATER SUPPLY AND DISTRIBUTION**

The SFM is proposing the adoption of specific Sections in Chapter 6 with amendment as shown in the corresponding Matrix Adoption Table pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2. Furthermore the SFM is maintaining the adoption of those existing California regulations or Sections as amended in Chapter 6 without modification.

**603.4.16**

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[7]

**CHAPTER 7  
SANITARY DRAINAGE**

**CHAPTER 8  
INDIRECT WASTES**

**CHAPTER 9  
VENTS**

**CHAPTER 10  
TRAPS AND INTERCEPTORS**

**CHAPTER 11  
STORM DRAINAGE**

The SFM proposes to not adopt Chapters 7 through 11 pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[8]

**CHAPTER 12  
FUEL PIPING**

The SFM is maintaining the adoption of those existing California regulations or Sections as amended in Chapter 12 without modification. The SFM is proposing adoption of this Chapter as amended as shown in the corresponding Matrix Adoption Table pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

**1211.16**

The above Section as amended or Section containing California regulations are brought forward without modification. There is no change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[9]

**CHAPTER 13  
HEALTH CARE FACILITIES AND MEDICAL GAS AND VACUUM SYSTEMS**

The SFM is proposing the adoption of Chapter 13 without amendment pursuant to Health and Safety Code Sections

13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[10]

**CHAPTER 14  
MANDATORY REFERENCED STANDARDS - TABLE 14-1**

The SFM is proposing the adoption of Chapter 15 without amendment pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[11]

**CHAPTER 15  
FIRESTOP PROTECTION**

The SFM is proposing the adoption of Chapter 15 without amendment pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[12]

**CHAPTER 16  
GRAY WATER SYSTEMS**

The SFM proposes to not adopt Chapter 16 pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[13]

**APPENDIX A  
RECOMMENDED RULES FOR SIZING THE WATER SUPPLY SYSTEM**

**APPENDIX B  
EXPLANATORY NOTES ON COMBINATION WASTE AND VENT SYSTEMS**

**APPENDIX D  
SIZING STORMWATER DRAINAGE SYSTEMS**

**APPENDIX E  
MANUFACTURED/MOBILE HOME PARKS AND RECREATIONAL VEHICLE PARKS**

**APPENDIX F  
FIREFIGHTER BREATHING AIR REPLENISHMENT SYSTEMS**

**APPENDIX I  
INSTALLATION STANDARDS TABLE OF CONTENT**

**APPENDIX K  
PRIVATE SEWAGE DISPOSAL SYSTEMS**

**APPENDIX L  
ALTERNATE PLUMBING SYSTEMS**

The SFM proposes to not adopt Appendices A through L pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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[14]

**USEFUL TABLES**

The SFM proposes to not adopt "Useful Tables" pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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

(Government Code Section 11346.2(b)(2))

The SFM did not rely on any technical, theoretical, and empirical study, report, or similar documents outside of those contained in this rulemaking in proposing that CBSC adopt said model code as a reference standard for the placement of existing SFM regulatory amendments for the California Building Standards Codes.

**CONSIDERATION OF REASONABLE ALTERNATIVES**

(Government Code Section 11346.2(b)(3)(A))

The SFM has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed adoption by reference with SFM amendments. Therefore, there are no alternatives available to the SFM regarding the proposed adoption of an electrical code.

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

(Government Code Section 11346.2(b)(3)(B))

The SFM has determined that no alternative available that would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed adoption by reference with SFM amendments. Therefore, no alternatives have been identified or that have otherwise been identified and brought to the attention of the SFM that would lessen any adverse impact on small business.

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

(Government Code Section 11346.2(B)(4))

The SFM has made an determination that this proposed action will not have a significant adverse economic impact on business. Health and Safety Code Section 18928 requires the SFM, when proposing the adoption of a model code, national standard, or specification shall reference the most recent edition of the applicable model code, national standard, or specification. Therefore, there are no other facts, evidence, documents, testimony, or other evidence on which the SFM relies to support this rulemaking.

**DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

(Government Code Section 11346.2(b)(5))

The SFM has determined that this proposed rulemaking action does not unnecessary duplicate or conflict with federal regulations contained in the Code of Federal Regulations that address the same issues as this proposed rulemaking.

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