

**FINAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE 2010 CALIFORNIA EXISTING BUILDING CODE (CEBC)  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10  
(HCD 06/09)**

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

**UPDATES TO THE INITIAL STATEMENT OF REASONS**

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

No data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying has been added to the rulemaking file that was not identified in the Initial Statement of Reasons.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

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

The Department of Housing and Community Development has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

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

(Government Code Section 11346.9(a)(3))

No comments were received during the 45-day public comment period.

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

(Government Code Section 11346.9(a)(4))

The Department of Housing and Community Development has determined that no alternative considered would be more effective in carrying out the purpose for which the regulations are proposed or would be more effective and less burdensome to affected private persons than the adopted regulations.

Assembly Bill 204 (Ch. 173, Stats. of 1991) requires the Department of Housing and Community Development (HCD) to adopt, approve, codify, and publish by reference in the California Building Standards Code the building standards in model code Appendix Chapter A1 of the Uniform Code for Building Conservation of the International Conference of Building Officials (ICBO) to provide minimum standards for existing unreinforced masonry (URM) bearing wall buildings. Additionally, Health and Safety Code Section 17922 requires HCD to adopt the most recent edition of the uniform model codes.

The Uniform Code for Building Conservation was last published in 1997. ICBO merged with other code organizations and now publishes Appendix Chapter A1 in the International Existing Building Code.

In 1986, California passed a law that required local governments in Seismic Zone 4 to inventory their URM buildings. In addition, the law required that local governments establish loss reduction programs for URM buildings and report to the state the progress of their programs. While progress has been reported for about 2/3 of the buildings inventoried, one third remains at risk of collapse, at least in part due to ineffective local programs. In their recent report cited below, the Seismic Safety Commission (SSC) recommended that the state adopt the International Existing Building Code (IEBC) model code as one means of improving results.

HCD proposes to repeal Appendix Chapter A1 of the 2006 International Existing Building Code and adopt Appendix Chapter A1 "Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings" of the 2009 IEBC published by the International Code Council. The purpose of this action is to adopt the latest standards as required by Health and Safety Code Section 17922 and as recommended by the SSC, making the standards available to local governments for their loss reduction programs.

The rationale for the adoption of the 2009 IEBC is the improvement of the loss reduction programs and the successful mitigation of the remaining at-risk URM buildings.

The model code, with proposed amendments, shall be known as the 2010 California Existing Building Code (CEBC) and will be published in Title 24, Part 10 of the CCR.

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

(Government Code Section 11346.9(a)(5))

No proposed alternatives were received by the Department of Housing and Community Development that would lessen the adverse economic impact on small businesses.