

**FINAL EXPRESS TERMS
OF
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT - STRUCTURAL SAFETY (DSA-SS)**

**REGARDING THE CALIFORNIA GREEN BUILDING STANDARDS CODE,
FOR USE IN THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11**

LEGEND FOR EXPRESS TERMS

Proposed building standards are shown underlined and in Ariel font.

Text in *italics* is informational only, and is not proposed as regulatory language to be incorporated into Part 11.

Note: The Division of the State Architect - Structural Safety (DSA-SS) adopts model code provisions and promulgates amendments as required by statute for application to public elementary and secondary schools, and community colleges.

CHAPTER 1

ADMINISTRATION

SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the California Green Building Standards Code and may be cited as such and will be referred to herein as "this code." The California Green Building Standards Code is Part 11 of twelve parts of the official compilation and publication of the adoption, amendment and repeal of building regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code.

101.2 Purpose. The purpose of this code is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encourage sustainable construction practices in the following categories:

1. Planning and design.
2. Energy efficiency.
3. Water efficiency and conservation.
4. Material conservation and resource efficiency.
5. Environmental air quality.

101.3 Scope. The provisions of this code shall apply to the planning, design, operation, construction, replacement, 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.

It is not the intent of the California Building Standards Commission that this code substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission.

101.3.1 State-Regulated Buildings, Structures, and Applications. Provisions of this code 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 103 through 106, except where modified by local ordinance pursuant to Section 101.7. 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.

1. *(Reserved for the Building Standards Commission)*
2. *(Reserved for the California Energy Commission)*
3. *(Reserved for Housing and Community Development)*
4. Public elementary and secondary schools, and community college buildings regulated by the Division of the State Architect. See Section 105 for additional scope provisions.
5. *(Reserved for the State Historical Building Safety Board)*
6. *(Reserved for the Office of Statewide Health Planning and Development)*
7. *(Reserved for the Department of Water Resources)*

101.4 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 Section 18938 (b) 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 101.7 of this code.

101.5 Referenced codes and standards. The codes and standards referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.5.1 Building. The provisions of the California Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every structure or any appurtenances connected or attached to such buildings or structures.

101.5.2 Electrical. The provisions of the California Electrical Code shall apply to the installation of electrical systems, including but not limited to alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.5.3 Mechanical. The provisions of the California Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.5.4 Plumbing. The provisions of the California Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances where connected to a water or sewage system.

101.5.5 Fire Prevention. The provisions of CCR, Title 19, Division 1, and CCR, Title 24, Part 2 and Part 9 relating to fire and panic safety as adopted by the Office of the State Fire Marshal shall apply to all structures, processes and premises for protection from the hazard of fire, panic and explosion.

101.5.6 Energy. The provisions of the California Energy Code shall apply to the minimum design and construction of buildings for energy efficiency.

101.6 Order of Precedence and Use.

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

101.6.2 Specific provision. Where a specific provision varies from a general provision, the specific provision shall apply.

101.6.3 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.

101.7 City, County, or City and County Amendments, Additions or Deletions. It is the intent of the California Building Standards Commission, by adopting this code, to set minimum Green Building Standards that may, at

the discretion of any local government entity, be applied. It is the further intent of the California Building Standards Commission that all entities subject to this code view these standards as minimal Green Building Standards and that local government entities retain their discretion to exceed the standards established by this code. It is the further intent of the California Building Standards Commission to encourage state and local government entities, private entities and interested members of the public to provide the Commission with input regarding the efficacy of this code, in order to assist the Commission in preparing mandatory Green Building Standards during the next code cycle.

This code does not limit the authority of city, county, or city and county governments to make necessary changes to the provisions contained in this code pursuant to complying with Section 101.7.1. The effective date of amendments, additions, or deletions to this code of cities, counties, or city and counties filed pursuant to Section 101.8.1 shall be the date on which it is 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 18938 (b) for Building Standards Law, Health and Safety Code Section 17950 for State Housing Law or Health and Safety Code Section 13869.7 for Fire Protection Districts.

101.7.1 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.
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 at 1800 3rd Street, Room 260, Sacramento, CA 95814.
4. The city, county, or city and county shall obtain California Energy Commission approval for any energy related ordinances consistent with PRC 25402.1 (h)(2) and Title 24, Part 1, Section 10-106. Local governmental agencies may adopt and enforce energy standards for newly constructed buildings, additions, alterations, and repairs provided the California Energy Commission finds that the standards will require buildings to be designed to consume no more energy than permitted by Part 6. Such local standards include, but are not limited to adopting the requirements of Part 6 before their effective date, requiring additional energy conservation measures, or setting more stringent energy budgets.

101.8 Alternate materials, designs and methods of construction. The provisions of this code are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design or method of construction not specifically prescribed by this code. Consideration and compliance provisions for occupancies regulated by adopting state agencies are found in the sections listed below.

1. Section 104.11, Appendix Chapter 1, 2007 California Building Code (CBC) for the California Building Standards Commission and the Division of the State Architect.
2. Section 108.7.2, CBC for the Department of Housing and Community Development.
3. Section 7-104, 2007 California Administrative Code for the Office of Statewide Health Planning and Development.

101.9 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 appropriate application matrix in Chapter 11 of this code and the History Note page of this code.

101.10 Mandatory Requirements. This code contains both voluntary and mandatory green building measures. Mandatory and voluntary measures are identified in the appropriate application matrix contained in Chapter 11 of this code.

101.11 Effective Use of this Code. The following steps shall be used to establish which provisions of this code are applicable to a specific occupancy:

1. Establish the type of occupancy.
2. Verify which State Agency has authority for the established occupancy by reviewing the authorities list Sections 103 through 106.
3. Once the appropriate agency has been identified find the application matrix for that agency in Chapter 11.
4. The application matrix will list the green building measures adopted, provide the effective date, and other information regarding each green building measure applicable to the established occupancy.
5. Each green building measure listed in the application matrix has a section number which correlates with a section number in Chapters 4 through 8.
6. More information is available for each green building measure listed in the application matrix in the correlated sections contained in Chapters 4 through 8.

SECTION 102 **CONSTRUCTION DOCUMENTS AND INSTALLATION VERIFICATION**

102.1 Submittal Documents. Construction documents and other data shall be submitted in one or more sets with each application for a permit. Where special conditions exist, the enforcing agency is authorized to require additional construction documents to be prepared by a licensed design professional.

Exception: The enforcing agency is authorized to waive the submission of construction documents and other data not required to be prepared by a licensed design professional.

102.2 Information on Construction Documents. Construction documents shall be of sufficient clarity to indicate the location, nature and scope of the proposed green building feature and show that it will conform to the provisions of this code, the California Building Standards Code, and other relevant laws, ordinances, rules and regulations as determined by the enforcing agency.

102.3 Verification. Documentation of conformance for applicable green building measures shall be provided to the enforcing agency. Alternate methods of documentation shall be acceptable when the enforcing agency finds that the proposed alternate documentation is satisfactory to demonstrate substantial conformance with the intent of the proposed green building measure.

SECTION 105 **DIVISION OF THE STATE ARCHITECT**

105.1 Specific scope of application of the agency responsible for enforcement, the enforcement agency, and the specific authority to adopt and enforce such provisions of this code, unless otherwise stated

105.1.1 Application—The Division of the State Architect - Structural Safety (DSA-SS) is authorized by law to promulgate building standards and administrative regulations for application to public elementary and secondary schools, and community colleges.

Enforcing agency—The Division of the State Architect - Structural Safety (DSA-SS) has been delegated the responsibility and authority by the Department of General Services to review and approve the design and observe the construction of public elementary and secondary schools, and community colleges.

Authority cited—Education Code Sections 17310 and 81142.

Reference—Education Code Sections 17280 through 17317, and 81130 through 81147.

105.1.2 Applicable administrative standards.

1. Title 24, Part 1, California Code of Regulations:

Sections 4-301 through 4-355, Group 1, Chapter 4, for public elementary and secondary schools and community colleges.

2. Title 24, Part 2, California Code of Regulations:

2.1 Sections 101 and 109.2 of Chapter 1.

2.2 Sections 102.1, 102.2, 102.3, 102.4, 102.5, 104.9, 104.10 and 104.11 of Appendix Chapter 1.

105.1.3 Applicable building standards. California Building Standards Code, Title 24, Parts 2, 3, 4, 5, 6, 9 and 12, California Code of Regulations, for school buildings, and community colleges.

Green building standards contained in Part 11, Title 24 are not adopted at this time for mandatory application to public schools and community colleges. DSA-SS will be proposing the adoption of green building standards into Part 11 of the 2010 edition Title 24 California Building Standards Code.

CHAPTER 11

APPLICATION MATRIX (AM-DSA/SS)

(RESERVED)

<u>GREEN BUILDING MEASURE</u>	<u>REQUIRED</u>	<u>VOLUNTARY</u>
<u>PLANNING AND DESIGN</u>		
(reserved)		
<u>ENERGY EFFICIENCY</u>		
(reserved)		
<u>WATER EFFICIENCY AND CONSERVATION</u>		
(reserved)		
<u>MATERIAL CONSERVATION AND RESOURCE EFFICIENCY</u>		
(reserved)		
<u>ENVIRONMENTAL QUALITY</u>		
(reserved)		

Authority: Education Code §17310 and §81142.

Reference: Education Code §§17280 through 17317, and §§81130 through 81147.