



California Building Standards Commission

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CAL CODE QUARTERLY

From The Executive Director



Jim McGowan

The [2015 Triennial Code Adoption Cycle](#) continues right on schedule. The code advisory committee meetings concluded with the Plumbing, Electrical, Mechanical and Energy meeting in early September. The 45-day [public comment periods](#) are now in full swing. Upon conclusion of the public comment periods, the

proposing state agencies will review any feedback they receive. Possible 15-day public comment period(s) can occur if there are changes made to the proposed rulemakings by the state agencies due to public comment. Upon conclusion of the comment periods the state agencies will finalize their respective code proposals and the California Building Standards Commission (CBSC) will prepare the proposed rulemakings for the commissioners consideration.

The commission will take action on the agency rulemaking proposals in December 2015 and quite possibly January 2016. The

approved rulemakings will then be prepared for submittal to the publishers for the formidable task of editing and printing California’s 13-part 2016 California Building Standards Code. The 2016 triennial edition will be available on or before July 1, 2016, and will go into effect on January 1, 2017. For more information see the article on page four, “Code Adoptions – It’s an 18-month Process!” And please remember that all of the 2015 code adoption cycle activities and code proposals are available on the [CBSC website](#).

(Continued on page 2)



The California Plug-In Electric Vehicle Collaborative presented a webinar on September 22nd that provided participants with an overview of existing electric vehicle building codes within CALGreen (Part 11, Title 24) for residential and commercial occupancies. Current proposals for the 2016 California Building Standards Code, technical and cost analysis were also discussed.

CBSC’s Enrique Rodriguez and Stoyan Bumbalov with the Department of Housing and Community Development participated on behalf of the code proposing state agencies. Dana Papke-Waters represented the Air Resources Board in the discussion along with Ed Pike from Energy Solutions, an energy efficiency consulting firm.

The California Plug-In Electric Vehicle Collaborative is a public-private organization that includes key stakeholders who are working together to move the plug-in market forward in California. Visit the [website](#) for more information.

- ◆ Did you know that nearly half of all of the plug-in electric vehicles in the United States are sold in California?



From The Executive Director (Continued from page 1)

2015 COMMISSION MEETING DATES

Meeting notices and agenda items are issued at least 15 days prior to each meeting.

October 21

December 16 & 17

Meeting Location:*

California Victim
Compensation and
Government Claims
Board
400 R Street
Sacramento, CA 95811

*Always verify the location address on meeting notices



And with that, I would say my job here is done! After nearly 40 years of state service I am retiring effective October 1, 2015. I have spent six very event-filled and personally challenging years with the California Building Standards Commission. Prior to joining CBSC I was with the Department of Housing and Community Development for nearly 34 years. It's time to get back in the water!

I am very proud of what the CBSC staff has accomplished during my tenure. They have masterfully collaborated with each other as well as with the proposing and adopting state agencies and valued stakeholders, and most

recently responded tirelessly to administering the emergency water provisions prompted by California's severe drought. I wish each one of them well and depart with a great sense of personal pride and confidence that CBSC is in good hands!

And as for me, well, I'll be working on my roll cast...

Tight-Lines,

A handwritten signature in blue ink, appearing to be "Jim".



Jim,

*All the best in the days ahead!
You will be missed,*

~The CBSC Staff



Green Gov Challenge

As California deals with the ongoing impacts of environmental change and the severe drought, state government seeks to find innovative ways to reduce waste of resources and increase sustainable practices. As part of the *Innovation Contest* (AB 2138-Gatto), the Department of General Services and the California Government Operations Agency are looking for innovative solutions that will help California improve its sustainable operations and engage with the public.

- October 15 Registration deadline
- October 24-25 Code-a-thon, presentations, and judging
- November Winning teams discuss further development/implementation
- December Recognition and check ceremony

For information concerning the Green Gov Challenge, contest eligibility, terms and submission requirements, judging criteria, registration and more click [here](#).

Model Water Efficient Landscape Ordinance (MWELO) Emergency Water Standards – Certifying Rulemaking

This summer the commission approved emergency green building standards that pertain to the Model Water Efficient Landscape Ordinance (MWELO). The emergency standards, which were approved on May 29 and became effective June 1, were developed in coordination with the Department of Water Resources in response to Governor’s Executive Order No. B-29 15. The measures are currently in the certifying rulemaking process and are scheduled to be formally adopted into the 2013 California Green Building Standards Code (CALGreen) at the January 19, 2016 commission meeting. Information on these regulations may be found on the [CBSC website](#).

EDUCATIONAL PROGRAMS



Reducing Potable Water Use – This Green Technology seminar will be available throughout the state this fall. Presenter Greg Mahoney has been working in building code enforcement for over 25 years and currently serves as the Chief Building Official for the City of Davis. [Click here for dates and locations](#).



Improving project delivery, commissioning and transitioning to operations – This daylong workshop presented by Green Technology will be available in November and December in the San Francisco Bay Area and in San Jose. [Click here for details](#).

2015 Triennial Code Adoption Cycle Status

- Code Advisory Committee meetings concluded in early September.
- Public comments periods are currently in progress.
- Code proposals will be presented to the Building Standards Commission for review and approval in December for inclusion in the 2016 California Building Standards Code.



Above far right: CBSC Associate Architect, Mia Marvelli presents to the Building, Fire and Other Code Advisory Committee on July 29, 2015.



Above standing: CBSC Deputy Executive Director Michael Nearman addresses the Plumbing, Electrical, Mechanical & Energy Code Advisory Committee and members of the public on September 9, 2015.

Code Adoption: It's an 18-month Process!

CBSC is currently administering the 2015 Triennial Code Adoption Cycle (review the [timeline](#)) that will result in the publication of the 2016 California Building Standards Code, located in Title 24 of the California Code of Regulations (CCR). Following the code advisory committee meetings, proposed building standards are made available for consideration during public comment periods.

The state law that governs the process of adopting building standards for publication in Title 24 is the California Building Standards Law in Health and Safety Code, Division 13, Part 2.5, commencing with Section 18901. Building Standards Law refers to provisions in the Administrative Procedure Act in Government Code, Title 1, Division 3, Part 1, Chapter 3.5, commencing with Section 11340. These two laws require California state agencies to provide the public with a notice of proposed building standards, and allow for public participation. The public Notice of Proposed Action (NOPA) is published in the California Regulatory Notice Register, which is available at the Office of Administrative Law website:

<http://www.oal.ca.gov>. Additionally, state law requires the proposing state agency to place the NOPA on its website and to notify persons and entities that have requested notification of such actions by the agency.



The NOPA must include information regarding how to obtain the rulemaking documents, including the proposed building standards and the date, time and location of any public meetings, dates for the public comment periods and how the public may provide input. The public may comment on the proposed building standards by providing oral testimony at the public meetings or by submitting written comment during the publicized public comment periods.

When a new proposal of building standards is made, a 45-day public comment period must be provided with the rulemaking documents available to the public. After the 45 days have expired and any public hearing has been conducted, the proposing state agency may amend the originally proposed building standard language based on public feedback. When an amendment to the proposed building standard language is substantial in nature, the state agency must allow the public another 45-day comment period. However, if the amendment is non-substantive or sufficiently

related to the original content, the amended regulatory language is made available to the public for a 15-day public comment period. A non-substantive amendment is generally a spelling, grammar or punctuation correction, word replacement, clarifications, and similar changes that do not add new requirements that were not previously explained in the notice. Occasionally, a second 15-day public comment period is conducted because additional amendments are made to address public comments received during the first 15-day public comment period.

Final proposals are considered by CBSC for adoption and publication in Title 24, CCR. To learn more about the process to adopt building standards for publication in Title 24, see our discussion in *Processes* under the *Rulemaking* tab on the CBSC website:

<http://www.bsc.ca.gov/>.



Education And Outreach



The California Construction Expo (CalCon) provides a central opportunity for contractors, designers and construction professionals to learn directly from government agencies about the increasing opportunities associated with \$150 billion in public works programs currently proposed or underway.



Far right: Department of General Services Director Daniel Kim participates in the ribbon cutting ceremony to kick off the 2015 California Construction Expo.



Left to right: Architectural Associate Laurie O'Brien and Education & Outreach Administrator Cynthia Biedermann welcome CalCon Expo attendees in the CBSC exhibit booth.

The California Department of General Services is a host and sponsor of the annual exposition, which was held in Long Beach on August 13. As a partnering agency, CBSC hosted a booth on the exhibit floor along with other state agencies, local government and utility companies, manufacturers and suppliers, universities, construction companies, and other construction industry stakeholders.

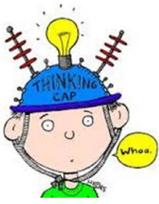


Legislative Update

Following the September 11, 2015 deadline for the California Legislature to pass all bills, the first year of the 2015-16 legislative session is officially complete. Bills that failed to meet this deadline are considered dead/two-year bills and should not be active again until the Legislature reconvenes in early 2016. Bills that passed this deadline have been enrolled and sent to Governor Brown to be signed into law, allowed to become law without signature, or vetoed. Following are some bills pertaining to buildings or building standards that have been introduced during the first year of the 2015-16 legislative session. Some of these bills address issues that relate to the design or construction of buildings in California, and some specifically address the California Building Standards Commission.

- [AB 12 \(Cooley\)](#) State government: administrative regulations: review
- [AB 81 \(Wood\)](#) Hospitals: seismic safety
- [AB 85 \(Wilk\)](#) Open meetings
- [AB 606 \(Levine\)](#) Water conservation
- [AB 662 \(Bonilla\)](#) Public accommodation: disabled adults: changing facilities
- [AB 764 \(Quirk\)](#) Parking lots: design: insurance discount
- [AB 1164 \(Gatto\)](#) Water conservation: drought tolerant landscaping
- [AB 1236 \(Chiu\)](#) Local ordinances: electric vehicle charging stations
- [SB 88 \(Budget/Fiscal\)](#) Water (Recycled Water Piping – CEQA Exemption)
- [SB 119 \(Hill\)](#) Protection of subsurface installations
- [SB 287 \(Hueso\)](#) Automated external defibrillators (AEDs)

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You will receive meeting notices, information bulletins, newsletters and more.



CAL Code Quiz

- 1.) When a Notice of Proposed Action is issued by a state agency making the first formal announcement of proposed building standards, the notice will provide the date on which:
 - a.) The California Legislature approved the proposal.
 - b.) A 15-day public comment period will close.
 - c.) A 45-day public comment period will close.
 - d.) The proposal will be approved by the commission.

- 2.) Following the first public comment period, if the state agency amends the proposed building standards, the amended language is subject to:
 - a.) A second public comment period.
 - b.) Legislative approval.
 - c.) Review by the Office of Legislative Counsel.
 - d.) All of the above.

- 3.) If non-substantive amendments are made to proposed building standards as a result of public comment:
 - a.) The amendment must be approved by the California Legislature.
 - b.) The amendment must be approved by a two-thirds vote of the commission.
 - c.) A 45-day public comment period must be provided.
 - d.) A 15-day public comment period must be provided.

- 4.) If substantive amendments are made to proposed building standards as a result of public comment:
 - a.) The amendment must be approved by the California Legislature.
 - b.) The amendment must be approved by a two-thirds vote of the commission.
 - c.) A 45-day public comment period must be provided.
 - d.) A 15-day public comment period must be provided.

- 5.) State law regarding public participation in the building standard adoption process:
 - a.) Requires the state agency to amend the proposal based on public comment.
 - b.) Allows for public comment in writing and or by oral testimony.
 - c.) Requires the public to register to receive the regulatory language and right to comment.
 - d.) Allows public comment only by persons with credentials relating to the subject of the proposed building standards.

California Building Standards Commission

CALCode
Quarterly

e-publication cycle
Winter ~ Spring
Summer ~ Fall

Questions or comments?

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Answers:
1.) c, 2.) a, 3.) d, 4.) c, 5.) b