

**FINAL STATEMENT OF REASONS**  
**FOR**  
**PROPOSED BUILDING STANDARDS**  
**OF THE**  
**CALIFORNIA BUILDING STANDARDS COMMISSION (CBSC)**  
**REGARDING THE NEXT TRIENNIAL EDITION**  
**OF THE CALIFORNIA BUILDING CODE (CBC),**  
**CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 2**

**ADOPT AND AMEND NEW MODEL CODE FOR USE IN CALIFORNIA AS TITLE 24, PART 2**

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:**

The CBSC received comments during the 45 day public comment period. See comments below.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The California Building Standards Commission has determined that the proposed regulatory action would impose a mandate on local agencies or school districts. However, the mandate does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code. H&SC section 18928 requires the CBSC to adopt the most current edition of the model codes. H&SC 18938(b) makes applicable the most current edition of the model building code to all occupancies throughout the State of California as prescribed.

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

**COMMENTER:**

John G. Parrish, Ph. D; State Geologist, on Section 3415.4.1 site hazard study

Mr. Parrish has provided modification to Section 3415.4.1 and recommends **Approve as Amended**.

**RESPONSE:** CBSC agrees with modifications and has revised the section which was sent to a 15-day public comment.

Charles C. Thiel, Ph.D, and Thomas M. Kennedy, on Section 3415.4.1 site hazard study.

Mr. Thiel and Mr. Kennedy has requested, during the 15-day period, that Section 3415.4.1 modifications made to the original provisions be **rejected** and reverted to the original code language.

**RESPONSE:** BSC has **withdrawn** sections 3415.4.1 & 3415.4.2 but will review and consider in the next code adoption cycle. Some of the code language needed further review and analysis; one being that the language appears to require an engineering geologist to prepare the site hazard study and give structural recommendations which is typically the structural engineer responsibility.

BSC has also **withdrawn** section 1803.5.12.1 as it is related to withdrawn sections 3415.4.1 & 3415.4.2.

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

The CBSC 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 adopted regulation

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

There were no proposed alternatives. The CBSC has determined that the proposed regulations will have no adverse impact on small businesses.

**COMMENTS MADE BY THE OFFICE OF SMALL BUSINESS ADVOCATE**

The CBSC received no comments from this office.