



California Building Standards Commission

Frequently Asked Questions

This site is developed by the California Building Standards Commission to respond to frequently asked questions regarding the California Building Standard Code in Title 24, California Code of Regulations, and related state laws and operations. Each question and answer is dated in order that the user may identify new questions and past questions that have been updated or expanded for additional clarity. The questions and answers will remain available at this website (<http://www.bsc.ca.gov>) for future reference. You may print these pages for staff training or reference. Over time the questions, answers and additional information should be helpful and increase the awareness of the use and application of Title 24 and the mandates in state law that apply to buildings and building codes.

Please understand that the California Building Standards Commission is not staffed to handle individual inquiries about the questions and provided answers. We will try to provide all the pertinent information relating to the question within the provided explanations. If additional training is needed on how to use and apply Title 24, see our website for our educational document "Guide to Title 24".

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Question # 1 posted on January 13, 2011

What is Title 24?

Answer: Title 24 is the 24th title among 28 titles of the California Code of Regulations (CCR). CCR Title 24 is given the name California Building Standards Code by Health and Safety Code (state law) Section 18902. It is reserved for state regulations that govern the design and construction of buildings, associated facilities and equipment. These regulations are also known as building standards (reference Health and Safety Code Section 18909). State regulations should not be confused with state laws enacted through the legislative process. State regulations are adoptions by state agencies as determined necessary to implement and carryout the requirements of state law. The California Building Standards Code in CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code Section 18908 and 18938) throughout the State of California.

A common misunderstanding is that Title 24 relates to only energy conservation, or only accessibility, or that it applies to only state owned buildings and properties. Title 24 applies to all building occupancies, and related features and equipment throughout the state and contains requirements to the structural, mechanical, electrical, and plumbing systems, and requires measures for energy conservation, green design, construction and maintenance, fire and life safety, and accessibility.

Additional Information: See the California Building Standards Commission website <http://www.bsc.ca.gov> for our Guide to Title 24. See the state laws referenced above at the state website <http://www.leginfo.ca.gov/calaw.html/>.

Question #2, posted on January 13, 2011

How is Title 24 organized?

Answer: The provisions of the California Building Standards Code in Title 24 (2010 edition) of the California Code of Regulations, includes requirements for the design and construction of a building's structural, plumbing, electrical and mechanical systems, fire and life safety, energy conservation, green standards, and accessibility. Thus, CCR Title 24 is organized into separate parts. Each part is numbered and given a separate name reflecting its subject. Some parts are based on selected model codes. The Parts and their names are:

- **Part 1**, California Building Standards Administrative Code; **Part 2**, Volume 1 and 2, named the California Building Code based on the 2009 International Building Code; **Part 2.5**, named the California Residential Code based on the 2009 International Residential Code; **Part 3**, named the California Electrical Code based on the 2008 National Electrical Code; **Part 4**, named the California Mechanical Code based on the 2009 Uniform Mechanical Code; **Part 5**, named the California Plumbing Code based on the 2009 Uniform Plumbing Code; **Part 6**, named the California Energy Code; **Part 7**, currently vacant; (see Question #27) **Part 8**, named the State Historical Building Code;
- **Part 9**, named the California Fire Code based on the 2009 International Fire Code;
- **Part 10**, named the California Existing Building Code based on provisions from the 2009 International Existing Building Code;
- **Part 11**, named the California Green Building Standards Code, and is also called the CALGreen Code;
- **Part 12**, named the California Reference Standards Code. The twelve parts of CCR Title 24 are included in eleven binders.

Additional Information: A photograph of the entire Title 24 is provided in the [Guide to Title 24](#), available at the CBSC website <http://www.bsc.ca.gov/>. Look under the Education tab.

Question #3, posted on January 13, 2011

Must a City or County Adopt Title 24?

Answer: Generally yes. Otherwise it may be impossible to carryout mandated enforcement and utilize legal processes. State law mandates that local government enforce the California Building Standards Code as published by the California Buildings Standards Commission in Title 24 of the California Code of Regulations. However there is no mandate that local government adopt Title 24; just that it be enforced. Title 24 applies, where no local adoption ordinance exists. To carry out enforcement activities, it is the general practice for a city, county, or city and county to enact a so-called adoption ordinance making Title 24 the applicable code. Then local government may utilize administrative and criminal enforcement authority established by local ordinance.

Additional Information:

For additional study of this matter, read these sections of state law in the Health and Safety Code available at <http://www.leginfo.ca.gov/calaw.html/>.

- 18938(b). Title 24 applies to all occupancies and is enforceable as published by the California Building Standards Commission.
- 18942. Requires local government to obtain and maintain Titles 8, 19, 20, 24, and 25 of the California Code of Regulations.
- 17950. Title 24 applies to construction of residential buildings throughout the state.
- 17960. Requires local enforcement of Title 24 applying to residential buildings.

Also, read Building Standards Bulletin 10-03 dated December 22, 2010, regarding the application of Title 24 and local amendments thereto available at our CBSC website <http://www.bsc.ca.gov>.

Question #4, posted on January 13, 2011

What is the California Code of Regulations?

Answer: Many state laws require the various state agencies to develop state regulations with the details necessary to implement and carryout the intent of the state law. The regulations adopted by the state agencies are placed in the California Code of Regulations (CCR). The CCR is divided into titles 1 through 28. Each title is given a name, such as Title 21 is titled Public Safety and Title 24 is titled California Building Standards Code. Some titles are reserved for the adopted regulations of one agency. For example, Title 25 contains regulations adopted by the Department of Housing and Community Development. Except for Part 3 of Title 24, the CCR is available online through the website of the Office of Administrative Law <http://www.oal.ca.gov/>. At the OAL website you are able to search the CCR by the title number, by a section number, specific word, or by the individual agencies.

Additional Information: Learn more about the California Code of Regulations at the Office of Administrative Law website <http://www.oal.ca.gov/>.

Question #5, posted on January 13, 2011

What is the authority of the California Building Standards Commission?

Answer: The authority and activities of the California Building Standards Commission (CBSC) are set out in Health and Safety Code, Division 13, Part 2.5, commencing with 18901, known as the California Building Standards Law. In short, the CBSC is responsible for overseeing the adoption and publication of the building standards in Title 24 of the California Code of Regulations that apply to all building occupancies throughout the state. The CBSC has 10 members appointed by the Governor who must be confirmed by the State Senate. A voting Chairperson, who is the Secretary of the State and Consumer Services Agency, is also appointed by the Governor and confirmed by the State Senate. The Health and Safety Code requires that members of the CBSC be representative of the general public and regulated industries.

The CBSC also has authority in state law to adopt building standards with application to state owned buildings, and for any building type where no other state agency has specific authority to do so, or when a state agency with authority to adopt but is unable to do so because of budget or other constraints.

Additional Information: To learn more about the CBSC, visit the CBSC website <http://www.bsc.ca.gov/>. Historical information, a listing of the Commissioners and staff, current activities and proposed codes, bulletins, educational materials and much more is available at the CBSC website.

Access the California Building Standards Law in Health and Safety Code, Division 13, Part 2.5, at <http://www.leginfo.ca.gov/calaw.html>.

Question #6, posted on January 13, 2011

Why can't I just use the model codes instead of Title 24?

Answer: Because state law mandates the enforcement of Title 24, which incorporates provisions from selected model codes. Parts 2, 2.5, 3, 4, 5, 9 and 10 of Title 24, California Code of Regulations, are based on model codes. If you were to apply only the model codes you would not be including the California Amendments. California Amendments are necessary to remove model code language that may conflict with requirements of state law or other adopted model codes. More importantly, California Amendments most often provide code requirements that implement requirements of state law. For example, California Building Code (Title 24, Part 2) Chapter 7A regarding wildfire protection, and Chapters 11A, 11B and 11C, regarding accessibility, are all California Amendments not available in the model codes. Using Title 24 for inspection and plan review activities is essential for lawful and consistent enforcement statewide.

Additional Information: Read Health and Safety Code Sections 17960 and 18938 available at the state website <http://www.leginfo.ca.gov/calaw.html/>.

Question #7, posted on January 13, 2011

Is Title 24 available online, or must I purchase a copy?

Answer: With one exception, Title 24 is available online. The California Building Standards Commission website provides links to the online codes available from the International Code Council (ICC) and International Association of Plumbing and Mechanical Officials (IAPMO). At the CBSC website <http://www.bsc.ca.gov/>, look for the link to the codes available online. ICC provides Parts 1, 2, 2.5, 6, 8, 9, 10, 11 and 12. IAPMO provides Parts 4 and 5. Remember, Part 7 is currently vacant. The exception is that Part 3, the California Electrical Code, is not available for viewing online.

Additional Information: Using online versions of Title 24 may be convenient for occasional reference but prove to be difficult for continuous activities such as plan review or building inspection. Title 24 may be purchased from the following.

- *International Code Council. Telephone: 1-800-786-4452; Website: order@iccsafe.org*
- *International Association of Plumbing and Mechanical Officials. Website: <http://www.iapmostore.org>*
- *BNI Building News. Telephone: 1-888-BNI-BOOK; Website: <http://www.bnibooks.com>*
- *Builders Booksource. Telephone: 1-510-845-6874; Website: <http://www.buildersbooksource.com/>*

Question #8, posted on January 13, 2011

What is the process for enacting local requirements more restrictive than in Title 24?

Answer: Local government may enact more restrictive building standards than provided in Title 24, California Code of Regulations. A finding is needed whereby the more restrictive local amendment is necessary for local climatic, geological or topographical conditions. The amendment and express finding of need is not effective and lawfully enforceable until filed with the California Building Standards Commission.

Additional Information: Read the following Health and Safety Code sections regarding local amendments to Title 24 available at <http://www.leginfo.ca.gov/calaw.html>.

- Section 18941.5
- Section 18938(b)
- Section 17958
- Section 17958.5
- Section 17958.7
- Section 13869.7

Also, read Building Standards Bulletin 10-03 dated December 22, 2010, regarding the application of Title 24 and local amendments thereto available at our website

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

Question #9, posted on January 13, 2011

Who are the state agencies involved in the creation of Title 24?

Answer: State law requires several state agencies to develop building standards for various building occupancies and building uses. The agencies and their general area of jurisdiction:

- Building Standards Commission (state buildings and occupancies not covered by other state agencies)
- Department of Housing and Community Development (housing and multifamily dwelling accessibility)
- Office of the State Fire Marshal (assembly buildings, nursing homes and housing)
- Division of the State Architect (accessibility, public schools, publicly funded housing, state owned or leased essential service buildings)
- Office of Statewide Health Planning and Development (hospitals and clinics)
- Department of Public Health, (various, including swimming pools and food establishments)
- California Energy Commission (natural resource conservation in buildings)
- State Historical Building Safety Board (designated historical buildings and sites)
- Department of Food and Agriculture (food processing)
- Department of Corrections Standards Authority (local detention facilities)
- Department of Water Resources (water conservation, floodplain management, life safety and flood resilient construction)
- California State Library (state libraries)
- Department of Consumer Affairs (barber and beauty shops, pharmacies, and more)
- State Land Commission (Marine Oil Terminals)

Additional Information: Sections 1.2 through 1.14 of the 2010 California Building Code provides much more information about the application of each state agency's adoptions in Title 24 of the California Code of Regulations.

Question #10, posted on January 13, 2011

When do new codes apply to plans and construction?

Answer: State law in Health and Safety Code Section 18938.5 establishes that the codes in effect on the date of application submittal for a building permit are the codes to be applied to the plans and construction of the building. Section 18938.5 imposes the same requirements on local ordinances enacted to modify the requirements of Title 24, except when the following occurs.

1. An issued permit has expired because the associated construction was abandoned or did not begin within 180 days of the permit issuance.

2. The building official suspended or revoked a permit that was issued in error.

When either of the events described above in #1 or #2 occurs, the plans and construction associated with a new permit application will be subject to the codes in effect on the new application date.

Additional Information: Read Health and Safety Code Section 18938.5 available at the state website <http://www.leginfo.ca.gov/>.

Question #11, posted on January 13, 2011

When do new Title 24 provisions become effective?

Answer: The effective date for new adopted building standards (including amendments) in the California Building Standards Code, Title 24 of the California Code of Regulations, can be no sooner than 180-days from the publication date. The publication date is set by the California Building Standards Commission (CBSC) as the official date when the new code provisions are published (in print) and available to the public for purchase. The CBSC can set an effective date that is greater than 180-days from the publication date for convenience, such as a January 1 or July 1 date. Building standards are effective on the established effective date, and not on either the adoption date, or the publication date.

However, there are occasions when emergency building standards are adopted when a situation requires an immediate regulatory solution in order to preserve the health and safety, or general welfare of the public. Emergency building standards differ from those building standards adopted through the code adoption cycles scheduled by law because the emergency building standards become effective immediately upon adoption by the CBSC and filing with the Secretary of State, or at any future effective date established by the CBSC. Emergency regulations are discussed more with Question 31.

Additional Information: Read Health and Safety Code Sections 18917.3, 18937, 18938, 18938.5 and 18941.5(a) available at the state website <http://www.leginfo.ca.gov/>.

Question #12, posted on January 13, 2011

Are building standards state laws or state regulations?

Answer: The building standards in Title 24 of the California Code of Regulations are state regulations, not state laws. State laws are established by the legislative process involving the State Senate and Assembly of the legislative branch of state government, and the Governor and Secretary of State in the executive branch of state government.

State regulations are developed and adopted by the agencies of the executive branch of state government for the purpose of implementing, interpreting, clarifying and carrying out the intent of state law. In the case of Title 24, the California Building Standards Commission coordinates, approves, adopts and publishes the building standards in Title 24, which are state regulations. Other state agencies involved in the process include the Office of the State Fire Marshal, Department of Housing and Community Development, Division of the State Architect, Office of Statewide Health Development and Planning, and several more. The California Building Standards Law in Health and Safety Code, Division 13, Part 2.5, establishes the process to be followed for the development, public involvement, review and adoption of Title 24 building standards.

Additional Information: For more information about the process relating to Title 24 building standards read Health and Safety Code Sections 18930 through 18934.8 available at the state website <http://www.leginfo.ca.gov/>. Learn more about Title 24 in our Guide to Title 24 available at our website <http://www.bsc.ca.gov/>.

Question #13, posted on January 13, 2011

What is the meaning of the abbreviations (HCD 1, DSA AC, etc.) shown in some text of Title 24?

Answer: The state adopting agency acronyms (also called abbreviations in some areas of Title 24) are used in the text of a California Amendment and in the Matrix Adoption Tables of Title 24. The state adopting agency acronyms are used as a means of identifying California Amendment adoptions that apply to buildings or features of buildings subject to that state agency's regulatory jurisdiction. Some agencies use more than one acronym in order to distinguish adoptions for different applications. HCD uses three acronyms: HCD 1, HCD 2 and HCD 1/AC. DSA uses three acronyms: DSA SS, DSA SS/CC and DSA AC. Each of these acronyms has a different meaning and purpose in the code.

For example, the HCD 1 acronym identifies adoptions by the Department of Housing and Community Development that apply to hotels, motels, condominiums, apartments and other residential occupancies as explained in Section 1.8 of the 2010 California Building Code. There are similar explanations about the other state agency acronyms in the first chapter or article of several Parts of Title 24.

Additional Information: Read Sections 1.2 through 1.14 of Chapter 1, Division 1, of the 2010 California Building Code for more information on the application of the code adoptions by each of the state adopting agencies. Learn more about the state agency acronyms used in Title 24 in our [Guide to Title 24](http://www.bsc.ca.gov/) available at our website <http://www.bsc.ca.gov/>.

Question #14, posted on January 13, 2011

What is the purpose of the Matrix Adoption Tables in Title 24?

Answer: The Matrix Adoption Tables play an important role in the proper use of CCR Title 24, Parts 2, 2.5, 3, 4, 5, 9, 10 and 11. The adoptions of the model code language and or California Amendments by the state agencies are identified in the provided Matrix Adoption Tables located at the beginning of each chapter, or division within a chapter or article of the code. The tables identify the code provisions that are adopted, and code provisions that are not adopted, by the various state adopting agencies. Adopted code provisions may be applied to building types or building features that are within the adoption jurisdiction of the state adopting agency making the adoption.

A Matrix Adoption Table is provided for only those adopted model code chapters, or divisions within a chapter or article. Thus, if there is no Matrix Adoption Table for a printed model code chapter, or the provided Matrix Adoption Table is blank, the chapter or article has not been adopted by a state agency. There are also Matrix Adoption Tables for chapters that are California Amendments in their entirety.

There are no Matrix Adoption Tables in Parts 1, 6, 8 or 12 of CCR Title 24 because these parts do not contain a mixture of model code text and California Amendments, or they are an exclusive California developed standard with the application explained within the code.

Additional Information: Learn more about Title 24 and how to use the Matrix Adoption Tables in our [Guide to Title 24](http://www.bsc.ca.gov/) available at our website <http://www.bsc.ca.gov/>.

Question #15, posted on January 13, 2011

Why do Title 24 adoptions under “HCD 1” apply to hotels and motels, but “HCD 1/AC” adoptions do not?

Answer: The answer lays in state law and the way the law assigns the responsibility for developing building standards to the various state adopting agencies. In the case of hotels and motels, Health and Safety Code Section 17921(a) assigns the responsibility for the development of structural, plumbing, electrical, and mechanical system standards to the Department of Housing and Community Development. Such adoptions in Title 24 are identified in the Matrix Adoption Tables under the acronym HCD 1. Health and Safety Code Section 19721(b) assigns the responsibility for developing fire and panic safety standards for hotels and motels to the State Fire Marshal, which are identified by the acronym SFM in Title 24. Hotels and motels are defined as public accommodations in both state and federal laws establishing accessibility requirements. By reference to Government Code Section 4450, Health and Safety Code Sections 19952 through 19959 assigns the responsibility for developing building standards for accessibility in public accommodations to the Division of the State Architect, which are identified in Title 24 by the acronym DSA AC. The acronym HCD 1/AC is used to identify building standards requiring accessibility in multifamily dwellings such as apartments and condominiums. HCD's authority to develop accessibility standards does not extend to hotels and motels.

Additional Information: Learn more about the adoption jurisdictions of the state adopting agencies, their acronyms, use of Matrix Adoption Tables and more in our [Guide to Title 24](#) available at the CBSC website <http://www.bsc.ca.gov/>. Read all the referenced state laws at the state website <http://www.leginfo.ca.gov/>. Read the definition of public accommodation in Chapter 2 of the 2010 California Building Code.

Question #16, posted on January 13, 2011

What is the difference between the California Building Standards Code and the California Building Code?

Answer: Title 24 of the California Code of Regulations is given the name California Building Standards Code by Health and Safety Code (state law) Section 18902. Title 24 contains building standards published by the California Building Standards Commission that apply to all building occupancies throughout the state. Each individual Part of Title 24 is given a name as well. Part 2 of Title 24 is named the California Building Code. So, the name California Building Standards Code is for the entire 12 parts of Title 24 in eleven binders for the 2010 edition, and the name California Building Code is for just Part 2 contained in two binders. Another similar name is the California Building Standards Law, which is the name given to the body of state law in Health and Safety Code, Division 13, Part 2.5, commencing with Section 18901. This law establishes the authority of the California Building Standards Commission and the application of the California Building Standards Code in Title 24, California Code of Regulations.

Additional Information: Learn more about Title 24 in our [Guide to Title 24](#) available at our website <http://www.bsc.ca.gov/>.

Question #17, posted on January 13, 2011

Are all provisions of the International Residential Code enforceable?

Answer: NO! Part 2.5 of Title 24, of the California Code of Regulations, is named the California Residential Code, and is effective on and after January 1, 2011 throughout California with application to one and two family dwellings and townhomes of not more than three stories above grade. Part 2.5 is based on the 2009 International Residential Code (IRC). Only the Department of Housing and Community Development (HCD) and the Office of the State Fire Marshal (SFM) adopt provisions in Part 2.5. Only Chapters 1 through 10, Chapter 44 and Appendix H are adopted by HCD and SFM for use in California. Thus, none of the IRC provisions for plumbing, mechanical, energy or electrical are adopted. This may be determined by reviewing the Matrix Adoption Tables provided for each chapter within Part 2.5. When a Matrix Adoption Table is not provided for a model code chapter or article, or a provided Matrix Adoption Table is blank, the chapter is not adopted.

Additional Information: Learn more about Title 24 in our [Guide to Title 24](#) available at our website <http://www.bsc.ca.gov/>. For the application of adoptions by HCD and SFM read Sections 1.1, 1.8 and 1.11 of Chapter 1, Division 1, of the 2010 California Residential Code. (Part 2.5 of Title 24).

Question #18, posted on January 13, 2011

What is a Supplement and Errata relating to Title 24?

Answer: Both Errata and Supplements are issued by the California Building Standards Commission (CBSC). They include new or replacement pages for California Code of Regulations, Title 24, the California Building Standards Code. An Errata issuance provides replacement pages on buff-colored paper with non-regulatory corrections of printing errors including misspellings, word or phrase omissions, and cross referencing and numbering errors. A Supplement issuance provides new or replacement blue-colored pages with new or amended regulatory language that has been adopted and approved by the CBSC. Margin marks identify deletions and new or amended language. The cover sheet of the Errata and Supplement provide instructions as to how to remove superseded pages and insert replacement and new pages.

Additional Information: The CBSC website <http://www.bsc.ca.gov/> provides notice of the issuance of an Errata or Supplement, which can be downloaded and printed. However, unless you print on buff and blue paper as appropriate, you will not be able to distinguish new and replacement pages in your Title 24 books.
When purchasing Parts of Title 24, it is important to fill-out and mail the subscription form to receive issued errata and supplements. There is no additional cost for the service.

Question #19, posted on January 13, 2011

What is the Code Advisory Committee?

Answer: Health and Safety Code Section 18927 (state law) authorizes the California Building Standards Commission (CBSC) to establish advisory panels (or committees) of volunteers from the general public, industry and state agency ex-officio members to assist the CBSC in carrying out its responsibilities. Six (6) standing Code Advisory Committees have been established:

- Plumbing, Electrical, Mechanical and Energy Committee
- Accessibility Committee
- Green Building Standards Committee
- Building, Fire and Other Committee
- Health Facilities Committee
- Structural Design - Lateral Forces Committee

These committees meet at the request of the CBSC to review and provide written comment to the CBSC on proposed building standards for Title 24. The comments are advisory and are not binding on the CBSC. The members of the committees are selected for their expertise and for a balance of interests. Vacancies are announced on the CBSC website. Additional ad-hoc committees are established on an as-needed basis.

Additional Information: A listing of the current members of the Code Advisory Committees is available at our website <http://www.bsc.ca.gov/>. Look under the tab labeled “About BSC”.

Question #20, posted on January 13, 2011

What is the Coordinating Council?

Answer: The Coordinating Council is a council of state adopting agencies established according to Health and Safety Code Section 18926 (state law). The membership of the Council consists of the CBSC executive director, who serves as chairperson, and representatives appointed by the State Director of Public Health, the Director of the Office of Statewide Health Planning and Development, the Director of Housing and Community Development, the State Fire Marshal, the Executive Director of the State Energy Resources Conservation and Development Commission (California Energy Commission), and the Director of General Services. The primary purpose for the Coordinating Council is to:

- Ensure coordination between the agencies in the proposal of building standards
- Assisting in the development of building standards
- Resolving conflicting building standards

Additional Information: Meetings of the Coordinating Council are open to the public with meeting date, time and location provided at the California Building Standards Commission website <http://www.bsc.ca.gov/>. Read the referenced state law at the state website <http://www.leginfo.ca.gov/>.

Question #21, posted on January 13, 2011

How can I review and comment on proposed Title 24 provisions?

Answer: The state regulations in Title 24, California Code of Regulations, are building standards published by the California Building Standards Commission (CBSC). There is state law that governs the process of adopting building standards and the law is structured to involve the public. When a building standard is proposed, the CBSC provides a Notice of Proposed Action that is published in the California Regulatory Notice Register, and is placed on the CBSC website. The notice provides the public with information as to the subject of the proposal, how to obtain a copy of the proposed code language and the reasons for the proposal, and information about the date, time and location of the public hearing. By law a public comment period of no less than 45-days is provided when the public may submit written comment on the proposal. And, the public may testify at the public hearing in support or in opposition to the proposal, or to offer suggested amendments. Often public comments result in amendments to the originally proposed code language.

Additional Information: The California Regulatory Notice Register is available at the Office of Administrative Law website <http://www.oal.ca.gov/>. To learn more about the process see our [Guide to Title 24](#) available at the CBSC website <http://www.bsc.ca.gov/>. There is also an explanation of the code adoption process at the CBSC website. Read Health and Safety Code Sections 18930 through 18934.8 available at the state website <http://www.leginfo.ca.gov/>.

Question #22, posted on January 13, 2011

Why is the Health and Safety Code so often mentioned in relation to Title 24 and the activities of the state agencies?

Answer: The Health and Safety Code is state law. It is one of 29 codes of California state laws, each with a given name like the Government Code, Civil Code, Penal Code, Water Code, and more. The Health and Safety Code (HSC) is a large code with over 130,000 sections numbers divided into Divisions. Division 13, Part 2.5, is named the California Building Standards Law, which contains the authority for the California Building Standards Commission and establishes the California Building Standards Code in Title 24 of the California Code of Regulations. Division 13, Part 1.5 is named the State Housing Law, which establishes authority for the Department of Housing and Community Development to develop building standards for Title 24 that are applicable to housing structures. The authority for the Office of the State Fire Marshal to develop building standards for fire and panic safety in buildings is found in the Health and Safety Code. Many of the other state adopting agencies have authority to develop building standards established in the Health and Safety Code. While the Health and Safety Code contains most laws regarding building safety, there are other state codes that establish requirements for buildings such as:

- Government Code- accessibility in public buildings and public housing
- Public Resource Code- emergency conservation
- Education Code- public schools

Additional Information: All state laws, including the Health and Safety Code, are available at the state website <http://www.leginfo.ca.gov/>.

Question #23, posted on January 13, 2011

Are the Commissioners on the California Building Standards Commission elected?

Answer: No. The California Building Standards Commission (CBSC) includes 10 members (also called Commissioners) appointed by the Governor and confirmed by the State Senate. The CBSC is responsible for overseeing the adoption and publication of the provisions in Title 24, California Code of Regulations. The eleventh member is a voting Chairperson, who is the Secretary of the State and Consumer Services Agency, and is also appointed by the Governor and confirmed by the State Senate. Except for the Chairperson, state law requires that members of the CBSC be representative of the general public and regulated industry. The length of term for each is 4 years but a member may be reappointed to additional terms. The Chairperson (Secretary of the State and Consumer Services Agency) serves at the pleasure of the Governor. The CBSC meets approximately 4 times each year. The CBSC is supported by a staff of 12 state employees lead by an Executive Director appointed by the CBSC.

Additional Information: The California Building Standards Commission website (<http://www.bsc.ca.gov>) provides information about each Commissioner including a biography and the dates of their terms. Look for the tab “About BSC”. Learn more about the CBSC in our [Guide to Title 24](#) available at our website. Read Health and Safety Code Section 18920 through 18924 available at the state website <http://www.leginfo.ca.gov/> for more information about the operation of the CBSC and the appointed members.

Question #24, posted on January 13, 2011

What is meant by "Triennial Code Adoption Cycle?"

Answer: The word “triennial” refers to something that occurs every third period of time such as every third month or third year. In the building code arena, new model codes are issued on a three year cycle. When new editions of the model codes become available, the California Building Standards Commission (CBSC) along with the state adopting agencies conduct a code adoption cycle to adopt a new edition of Title 24, California Code of Regulations, incorporating the new editions of the selected model codes. Accordingly, this cycle is referred to as the Triennial Code Adoption Cycle because it occurs every three years. Additionally, the title helps to distinguish the cycle from the other code adoption cycle occurring between the triennial cycles.

Prior to passage of AB 1693 (Chapter 145 of the 2010 Statutes) that amended the California Building Standards Law (Health and Safety Code, Division 13, Part 2.5) Section 18929.1, the CBSC conducted two annual code adoption cycles between each triennial code adoption cycle. On and after January 1, 2011, only one cycle is to be conducted between the triennial code adoption cycles.

Additional Information: Learn more about the code adoption process at our website <http://www.bsc.ca.gov>. Look for a page titled “Processes”. Also, read our [Guide to Title 24](#) available at our website and Health and Safety Code Section 18929.1 and 18942(a) available at the state website <http://www.leginfo.ca.gov/>.

Question #25, posted on January 13, 2011

Are the BSC Committees the same as the Code Advisory Committees?

Answer: No. The BSC Committees are committees formed by California Building Standards Commission (CBSC) members (Commissioners) only, to study specified code related issues and operations of the CBSC. There are six such committees at this time including:

- Appeals
- Code Change
- Policy and Management
- Publication, Communication and Training
- Seismic
- Green Building

The Code Advisory Committees (subject of Question #19) are committees of volunteers from the general public, industry, and state agency ex-officio members appointed by the CBSC to review proposed building standards and make recommendations to the CBSC.

Additional Information: See the six (6) BSC Committees and the members at the CBSC website <http://www.bsc.ca.gov/>. Look under the tab titled "About BSC". Read more about the Code Advisory Committees in Question 19 and at the CBSC website.

Question #26, posted on January 13, 2011

What is the CALGreen Code and what does it apply to?

Answer: Part 11 of Title 24 is named the California Green Building Standards Code, and is also called the CALGreen Code. The 2008 edition contained only voluntary standards while the 2010 edition effective on January 1, 2011 contains mandatory requirements for most buildings along with additional standards that are voluntary. The California Building Standards Commission and the Department of Housing and Community Development have both issued Guides to the CALGreen Code that are available at the respective websites (addresses below).

Most residential type buildings are subject to the 2010 CALGreen Code when constructed new when the permit application submittal date was on or after January 1, 2011. The specific types of residential buildings identified in the CALGreen Code include hotels, motels, apartments, one and two family dwellings meeting the definition of low-rise residential building (see definitions in Chapter 2 of the CALGreen Code) and listed in Section 104 of the CALGreen Code. Nonresidential buildings subject to the mandatory provisions of the CALGreen Code when constructed new include state owned buildings and state university and community college buildings, privately owned buildings used for retail, office, and medical services, and others listed in Section 103 of the CALGreen Code.

Additional Information: The CALGreen Code and the Guide to Nonresidential CALGreen Code are available online at the California Building Standards Commission website <http://www.bsc.ca.gov/>. The code may be purchased from the International Code Council website order@iccsafe.org or by telephone at 1-800-786-4452, or from BNi Building News at <http://www.bnibooks.com/>, or by telephone at 1-888-BNI-BOOK. The Guide to California Green Building Standards Code (Low-Rise Residential) is available at the Department of Housing and Community Development website <http://www.hcd.ca.gov/>.

Question #27, posted on January 13, 2011

Why is Part 7 of Title 24 vacant?

Answer: In past editions of Title 24, Part 7 contained elevator construction standards, which was a duplication of the standards in Title 8, Chapter 4, Subchapter 6, commencing with Section 3000. The Title 8 standards for elevators are developed and adopted by the California Department of Industrial Relations, Division of Occupational Safety and Health, better known as Cal/OSHA. These Cal/OSHA standards apply to conveyances, which include elevators, escalators, dumbwaiters, stairway chairlifts and more. These standards are not building standards because the definition of the term building standard provided by Health and Safety Code Section 18909 (j) excludes standards by Cal/OSHA.

Additional Information: Title 8 elevator standards may be accessed at the Office of Administrative Law website <http://www.oal.ca.gov/>. The elevator standards and other related information may also be accessed at the Department of Industrial Relations website <http://www.dir.ca.gov/>. Read HSC 18909(j) at the state website <http://www.leginfo.ca.gov/>.

Question #28, posted on January 13, 2011

What is the purpose of Part 12 of Title 24?

Answer: Part 12 contains various standards developed by or adopted by state agencies. Some provisions are national standards reprinted with permission from the originator of the standard, such as the Underwriters Laboratories, and others. There are standards by the State Fire Marshal for Releasing Systems for Security Bars in Dwellings, fire testing of materials and emergency exit and panic hardware, and more. The Division of the State Architect has standards for the Detectible Warning Surface materials required at the base of curb ramps and for directional surface materials required at public transportation sites. The various standards are referenced from other Parts of Title 24 as being the appropriate and minimum standard for a particular material or equipment.

Additional Information: Read Government Code Section 4460 at the state website <http://www.leginfo.ca.gov> for an example of a state law mandating the development of a standard by a state agency.

Question #29, posted on January 13, 2011

Many times the codes refer to a standard number. What are these standards?

Answer: Many products and assemblies used in the construction of a building come to the site in such a form that cannot be inspected because of concealed parts. Such products and assemblies are required by the code to meet a nationally recognized standard developed specifically for the product or assembly. There are nationally recognized standards developed by such independent entities as Underwriters Laboratory, American Society of Testing and Materials (ASTM) and the American National Standards Institute (ANSI). The general process is for a product to be tested to an appropriate standard by a Testing Agency. Products meeting the standard are then listed in a directory of a Listing Agency. Generally, the product will bear a Listing Agency label affixed by the manufacturer to identify the product as having met a referenced standard for such a product. Some Testing Agencies are also Listing Agencies. Listing Agencies perform inspections of the product manufacturing to ensure continual compliance with the design that was tested and approved as meeting the applicable standard. The standard, independent testing, labeling and listing, is a means of having products such as light fixtures, plumbing fixtures, fire doors, smoke alarms and more, subject to a standardized evaluation process. The process eliminates the need for an inspection of manufacturing of a product or assembly at the construction site.

Additional Information: See the definitions for the terms listed, Listing Agency, and Testing Agency, provided in the 2010 California Building Code, Chapter 2 (Title 24, Part 2). Also read Health and Safety Code Section 17920 for definitions of labeled, listed, Listing Agency and Testing Agency.

Question #30, posted on January 13, 2011

Are there criminal or civil penalties for Title 24 violations?

Answer: Yes. This is a far more complex question than it may appear. The building standards in Title 24 are state regulations. There are criminal or civil penalties for violating most state laws. Some state laws that establish criminal or civil penalties extend the penalties to the state regulations adopted to implement the state law. Many of the building standards in Title 24 are implementing state laws and those state laws include a misdemeanor crime punishable by monetary fines or imprisonment, or both, for violating the requirements of that state law. Additionally, these state laws say that a violation of the state regulations (included building standards) is also a misdemeanor punishable by a monetary fine or imprisonment, or both. One example is the building standards adopted by the State Fire Marshal and the Department of Housing and Community Development to implement the State Housing Law (SHL) in Health and Safety Code, Division 13, Part 1.5, commencing with Section 17910. Section 17995 establishes a misdemeanor crime for violations of the SHL and the provisions of Title 24 implementing the SHL.

There are other examples of state laws implemented by Title 24 provisions with criminal and civil penalties and there are building standards implementing state laws that do not provide for criminal or civil penalties. The Title 24 user must review the state law that is implemented by the Title 24 building standard to verify that the state law establishes a criminal or civil penalty for violations of that law and the implementing Title 24 building standard. This may be done by first identifying the state law used by the adopting state agency. This is shown in the Authority and Reference portion of the application Sections 1.2 through 1.14 of the 2010 California Building Code (Part 2 of CCR Title 24).

Additional Information: Learn more about criminal and civil penalties for violations of Title 24 in our [Guide to Title 24](#) available at the website of the California Building Standards Commission <http://www.bsc.ca.gov/>.

Question #31, posted on January 13, 2011

What is an emergency regulation?

Answer: The Health and Safety Code (state law) authorizes the California Building Standards Commission (CBSC) to adopt emergency building standards (regulations) when a situation develops that requires an immediate regulatory solution in order to preserve the health and safety, or general welfare of the public. Emergency regulations differ from regulations adopted through the code adoption cycles because the emergency regulation becomes effective immediately upon adoption by the California Building Standards Commission and filing with the Secretary of State, or at any future effective date established by the CBSC. Emergency regulations are effective for up to 180-days, and can be extended for two 90-day periods under specific circumstances. For emergency regulations to become a permanent provision in Title 24, the CBSC must provide the public a Notice of Proposed Action, Finding of Emergency, Express Terms and Initial Statement of Reasons, and conduct a 45-day public comment period to include a public hearing. The documents and process are much like the normal adoption process, except that the public comment period and hearing occur after the emergency adoption. Emergency regulation adoption for Title 24 is not a common event. Adoption of emergency regulations occurs more often in the other titles of the California Code of Regulations.

Additional Information: Read more about emergency regulations in Health and Safety Code Sections 18937 and 18938(d), Government Code Sections 11346.1 and 11349.6, available at the state website <http://www.leginfo.ca.gov/>.