INITIAL EXPRESS TERMS

FOR

PROPOSED BUILDING STANDARDS

OF THE

OFFICE OF THE STATE FIRE MARSHAL (SFM)

REGARDING THE ADOPTION BY REFERENCE OF THE

2009 EDITION OF THE UNIFORM PLUMBING CODE (UPC)

WITH AMENDMENTS INTO THE 2010 CALIFORNIA PLUMBING CODE (CPC)

CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 5

The Office of the State Fire Marshal (SFM) proposes to adopt the 2009 edition of the Uniform Plumbing Code (UPC) into the 2010 edition of the California Plumbing Code (CPC). SFM further proposes to:

- Repeal the adoption by reference of the 2006 Uniform Plumbing Code of the International Plumbing and Mechanical Officials and incorporate and adopt by reference in its place the 2009 Uniform Plumbing Code of the International Plumbing and Mechanical Officials for application and effectiveness in the 2010 California Plumbing Code pursuant to Health and Safety Code 18928. Health and Safety Code 18928 requires any state agency adopting model codes to adopt the most recent edition.
- Repeal certain amendments to the 2006 Uniform Plumbing Code and/or California Building Standards not addressed by the model code that are no longer necessary pursuant with Health and Safety Code 18930(a)(7)..
- Adopt new building standards or necessary amendments to the 2009 Uniform Plumbing Code that address inadequacies of the 2009 Uniform Plumbing Code as they pertain to California laws.
- Bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2007 California Building Standards Code.
- Codify non-substantive editorial and formatting amendments from the format based upon the 2006 Uniform Plumbing Code to the format of the 2009 Uniform Plumbing Code.

Legend for Express Terms:

1. **Existing California regulations or amendments brought forward with modification***: All such language appears in Italics, modified language is* *underlined.*

2. **IBC language with new California amendment:** IBC language is shown in normal Arial 9-point. California amendments to IBC text appear *underlined and in italics.*

3. **New California regulation or amendment:** *California language appears underlined and in Italics.*

4. **Repealed Text:** Shown as ~~*Strikeout*~~.

5. **Existing California amendments brought forward that remove UPC language:** Shown as ~~Strikeout~~.

6. **New California amendments that remove UPC language**: Shown as ~~Strikeout~~.

7. **Notation**: Authority and Reference citations are provided at the end of each chapter.

[1. The SFM proposes to adopt specific Sections of Chapter 1 with the following amendments and California regulations, adopt only those Sections listed the corresponding Matrix Adoption Table.]

~~(CALIFORNIA) CHAPTER 1~~
~~GENERAL CODE PROVISIONS~~

CHAPTER 1

DIVISION I
CALIFORNIA ADMINISTRATION

SECTION ~~10~~.1
GENERAL

~~101.1~~1.1.1 Title. *These regulations shall be known as the California Plumbing Code, may be cited as such and will be referred to herein as "this code." The California Plumbing Code is Part 5 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. This part incorporates by adoption the ~~2006~~ 2009 Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials with necessary California amendments.*

~~101.2~~1.1.2 Purpose. *The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.*

~~101.3~~1.1.3 Scope. *The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures throughout the State of California.*

~~101.3.1~~1.1.3.1 Nonstate-regulated buildings, structures and applications. *Except as modified by local ordinance pursuant to Section ~~101.8~~1.1.8, the following standards in the California Code of Regulations, Title 24, Parts 2, 3, 4, 5, 6, 9, 10 and ~~10~~11 shall apply to all occupancies and applications not regulated by a state agency.*

~~101.3.2~~1.1.3.2 State-regulated buildings, structures and applications. *The model code, state amendments to the model code, and/or state amendments where there are no relevant model code provisions 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 ~~102~~1.2 through ~~114~~1.14, except where modified by local ordinance pursuant to Section ~~101.8~~1.1.8. 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.*

Note: *See Preface to distinguish the model code provisions from the California provisions.*
1. State-owned buildings, including buildings constructed by the Trustees of the California State University, and to the extent permitted by California laws, buildings designed and constructed by the Regents of the University of California, and regulated by the Building Standards Commission. See Section ~~102~~1.2 for additional scope provisions.
2. Local detention facilities regulated by the Corrections Standards Authority. See Section ~~103~~1.3 for additional scope provisions.
3. Barbering, cosmetology or electrolysis establishments, acupuncture offices, pharmacies, veterinary facilities and structural pest control locations regulated by the Department of Consumer Affairs. See Section ~~104~~1.4 for additional scope provisions.
4. Energy efficiency standards regulated by the California Energy Commission. See Section ~~105~~1.5 for additional scope provisions.

5. Dairies and places of meat inspection regulated by the Department of Food and Agriculture. See Section ~~106~~1.6 for additional scope provisions.
6. Organized camps, laboratory animal quarters, public swimming pools, radiation protection, commissaries serving mobile food preparation vehicles and wild animal quarantine facilities regulated by the Department of Public Health ~~Services~~. See Section ~~107~~1.7 for additional scope provisions.
7. Hotels, motels, lodging houses, apartment houses, dwellings, dormitories, condominiums, shelters for homeless persons, congregate residences, employee housing, factory-built housing and other types of dwellings containing sleeping accommodations with or without common toilets or cooking facilities. See Section ~~108.2.1.1~~1.8.2.1.1 for additional scope provisions.
8. Accommodations for persons with disabilities in buildings containing newly constructed covered multifamily dwellings, new common use spaces serving existing covered multifamily dwellings, additions to existing buildings where the addition alone meets the definition of a ~~covered multifamily dwelling,~~ "COVERED MULTIFAMILY DWELLING," and common-use spaces serving covered multifamily dwellings which are regulated by the Department of Housing and Community Development. See Section ~~108.3.1.2~~1.8.2.1.2 for additional scope provisions.
9. Permanent buildings and permanent accessory buildings or structures constructed within mobilehome parks and special occupancy parks regulated by the Department of Housing and Community Development. See Section ~~108.2.1.3~~1.8.2.1.3 for additional scope provisions.
10. Accommodations for persons with disabilities regulated by the Division of the State Architect. See Section ~~109.1~~1.9.1 for additional scope provisions.
11. Public elementary and secondary schools, community college buildings and state-owned or state-leased essential service buildings regulated by the Division of the State Architect. See Section ~~109.2~~1.9.2 for additional scope provisions.
12. Qualified historical buildings and structures and their associated sites regulated by the State Historical Building Safety Board with the Division of the State Architect. See Section ~~109.3~~1.9.3 for additional scope provisions.
13. General acute care hospitals, acute psychiatric hospitals, skilled nursing and/or intermediate care facilities, clinics licensed by the Department of Public Health and correctional treatment centers regulated by the Office of Statewide Health Planning and Development. See Section ~~110~~1.10 for additional scope provisions.
14. Applications regulated by the Office of the State Fire Marshal include, but are not limited to, the following in accordance with Section ~~111~~1.11:
14.1. Buildings or structures used or intended for use as an:
~~14.1.~~1. Asylum, jail, prison.
~~14.1.~~2. Mental hospital, hospital, home for the elderly, children's nursery, children's home or institution, school or any similar occupancy of any capacity.
~~14.1.~~3. Theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.
~~14.1.~~4. Small family day care homes, large family day care homes, residential facilities and residential facilities for the elderly, residential care facilities.
~~14.1.~~5. State institutions or other state-owned or state-occupied buildings.
~~14.1.~~6. High rise structures.
~~14.1.~~7. Motion picture production studios.
~~14.1.~~8. Organized camps.
~~14.1.~~9. Residential structures.
14.2. Tents, awnings or other fabric enclosures used in connection with any occupancy.
14.3. Fire alarm devices, equipment and systems in connection with any occupancy .
14.4. Hazardous materials, flammable and combustible liquids.
14.5. Public school automatic fire detection, alarm and sprinkler systems.
14.6. Wildland-urban interface fire areas.
15. Public libraries constructed and renovated using funds from the California Library Construction and Renovation Bond Act of 1988 and regulated by the State Librarian. See Section ~~112~~1.12 for additional scope provisions.
16. Graywater systems regulated by the Department of Water Resources. See Section ~~113~~1.13 for additional scope provisions.
17. For applications listed in Section ~~109.1~~1.9.1 regulated by the Division of the State Architect—Access Compliance, outdoor environments and uses shall be classified according to accessibility uses described in Chapters 11A, 11B and 11C.

18. Marine Oil Terminals regulated by the California State Lands Commission. See Section ~~114~~1.14 for additional scope provisions.

~~101.4~~1.1.4 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)~~ 18901 et. seq. 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 ~~118~~1.1.8 of this code.*

~~101.5~~1.1.5 Referenced codes. *The codes, standards and publications adopted and set forth in this code, including other codes, standards and publications referred to therein are, by title and date of publication, hereby adopted as standard reference documents of this code. When this code does not specifically cover any subject related to building design and construction, recognized architectural or engineering practices shall be employed. The National Fire Codes, standards, and the Fire Protection Handbook of the National Fire Protection Association are permitted to be used as authoritative guides in determining recognized fire prevention engineering practices.*

~~101.6~~1.1.6 Nonbuilding standards, orders and regulations. *Requirements contained in the Uniform Plumbing Code, or in any other referenced standard, code or document, which are not building standards as defined in Health and Safety Code Section 18909, shall not be construed as part of the provisions of this code. For nonbuilding standards, orders and regulations, see other titles of the California Code of Regulations.*

~~101.7~~1.1.7 Order of precedence and use.

~~101.7.1~~1.1.7.1 Differences. *In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern.*

~~101.7.2~~1.1.7.2 Specific provisions. *Where a specific provision varies from a general provision, the specific provision shall apply.*

~~101.7.3~~1.1.7.3 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 requirements shall prevail.*

~~101.8~~1.1.8 City, county or city and county amendments, additions or deletions. *The provisions of this code do not limit the authority of city, county or city and county governments to establish more restrictive and reasonably necessary differences to the provisions contained in this code pursuant to complying with Section ~~101.8.1~~1.1.8.1. The effective date of amendments, additions or deletions to this code of ~~cities, counties or city and counties~~ a city, county or a city and county filed pursuant to Section ~~101.8.1~~1.1.8.1 shall be the date 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 18941.5 for Building Standards Law, Health and Safety Code Section 17958 for State Housing Law or Health and Safety Code Section 13869.7 for Fire Protection Districts.

~~101.8.1~~1.1.8.1 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.

Exception: *Hazardous building ordinances and programs mitigating unreinforced masonry buildings.*

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, Division of Codes and Standards, P.O. Box

1407, Sacramento, CA 95812-1407 or ~~at~~ 1800 3rd Street, Room 260, Sacramento, CA ~~95814~~95811.

***~~101.9~~1.1.9* 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 History Note page of this code.*

***~~101.10~~1.1.10* Availability of codes.** *At least one ~~entire~~complete copy each of Titles 8, 19, 20, 24 and 25 with all revisions shall be maintained in the office of the building official responsible for the administration and enforcement of this code. Each state department concerned and each city, county or city and county shall have an up-to-date copy of the code available for public inspection. See Health and Safety Code Section 18942(d)(1) and (2).*

***~~101.11~~1.1.11* Format.** *This part fundamentally adopts the Uniform Plumbing Code by reference on a chapter-by-chapter basis. Such adoption is reflected in the Matrix Adoption Table of each chapter of this part. When the Matrix Adoption Tables make no reference to a specific chapter of the Uniform Plumbing Code such chapter of the Uniform Plumbing Code is not adopted as a portion of this code.*

***~~101.12~~1.1.12* Validity.** *If any chapter, section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the state as stipulated by statutes or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.*

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[1.1. The SFM is proposing to maintain the adoption of those existing California provisions contained Sections 1.11 through 1.11.10 as shown below with modification.]

SECTION ~~111~~1.11
OFFICE OF THE STATE FIRE MARSHAL

***~~111.1~~1.11.1* SFM—Office of the State Fire Marshal.** *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.*

Application:

Institutional, educational or any similar occupancy*. Any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, sanitarium, home for the aged, children's nursery, children's home, school or any similar occupancy of any capacity.*

Authority cited—*Health and Safety Code Section 13143.*
Reference—*Health and Safety Code Section 13143.*

Assembly or similar place of assemblage. *Any theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.*

Authority cited—*Health and Safety Code Section 13143.*
Reference—*Health and Safety Code Section 13143.*

Small family day care homes.

Authority cited—*Health and Safety Code Sections 1597.45, 1597.54, 13143 and 17921.*
Reference - *Health and Safety Code Section 13143.*

Large family day care homes.

Authority cited—*Health and Safety Code Sections 1597.46, 1597.54 and 17921.*
Reference - *Health and Safety Code Section 13143.*

Residential facilities and residential facilities for the elderly.

Authority cited—*Health and Safety Code Section 13133.*
Reference—*Health and Safety Code Section 13143.*

Any state institution or other state-owned or state-occupied building.

Authority cited—*Health and Safety Code Section 13108.*
Reference—*Health and Safety Code Section 13143.*

High-rise structures.

Authority cited—*Health and Safety Code Section 13211.*
Reference—*Health and Safety Code Section 13143.*

Motion picture production studios.

Authority cited—*Health and Safety Code Section 13143.1.*
Reference—*Health and Safety Code Section 13143.*

Organized camps.

Authority cited—*Health and Safety Code Section 18897.3.*
Reference—*Health and Safety Code Section 13143.*

Residential. *All hotels, motels, lodging houses, apartment houses and dwellings, including congregate residences and buildings and structures accessory thereto. Multiple-story structures existing on January 1, 1975, let for human habitation, including and limited to, hotels, motels and apartment houses, less than 75 feet (22 860 mm) above the lowest floor level having building access, wherein rooms used for sleeping are let above the ground floor.*

Authority cited—*Health and Safety Code Sections 13143.2 and 17921.*
Reference—*Health and Safety Code Section 13143.*

Residential care facilities. *Certified family care homes, out-of-home placement facilities, halfway houses, drug and/or alcohol rehabilitation facilities and any building or structure used or intended for use as a home or institution for the housing of any person of any age when such person is referred to or placed within such home or institution for protective social care and supervision services by any governmental agency.*

Authority cited—*Health and Safety Code Section 13143.6.*
Reference—*Health and Safety Code Section 13143.*

Tents, awnings or other fabric enclosures used in connection with any occupancy.

Authority cited—*Health and Safety Code Section 13116.*
Reference—*Health and Safety Code Section 13143.*
~~***Enforcing agency—****Pursuant to Section 13146, Health and Safety Code.*~~

Fire alarm devices, equipment and systems in connection with any occupancy.

Authority cited—*Health and Safety Code Section 13114.*
Reference—*Health and Safety Code Section 13143.*

Hazardous materials.

Authority cited—*Health and Safety Code Section 13143.9.*
Reference—*Health and Safety Code Section 13143.*

Flammable and combustible liquids.

Authority cited—*Health and Safety Code Section 13143.6.*
Reference—*Health and Safety Code Section 13143.*

Public School Automatic Fire Detection, Alarm and Sprinkler Systems.

Authority cited—*Health and Safety Code Section 13143 and California Education Code Article 7.5, Sections 17074.50, 17074.52 and 17074.54.*
Reference—*Government Code Section 11152.5, Health and Safety Code Section 13143 and California Education Code Chapter 12.5, Leroy F. Greene School Facilities Act of 1998, Article 1.*

Wildland-Urban Interface Fire Area.

Authority cited—*Health and Safety Code Sections 13143, 13108.5(a) and 18949.2(b) and (c) and Government Code Section 51189.*
Reference—*Health and Safety Code Sections 13143, Government Code Sections 51176, 51177, 51178 and 51179 and Public Resources Code Sections 4201 through 4204.*

~~111.2~~1.11.2 Duties and powers of the enforcing agency.

~~111.2.1~~1.11.2.1 Enforcement.

~~111.2.1.1~~1.11.2.1.1 *The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the ~~Office of the~~ State Fire Marshal shall except as provide in Section 1.11.2.1.2 be as follows:*

1. The city, county or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to Group ~~R, Division 3 dwellings~~ R-3 occupancies, as described in Section 310.1 of Part 2 of the California Building Standards Code, to either of the following:

1.1. The chief of the fire authority of the city, county or city and county, or an authorized representative.
1.2. The chief building official of the city, county or city and county, or an authorized representative.

2. The chief of any city or county fire department or of any fire protection district, and authorized representatives, shall enforce within the jurisdiction the building standards and other regulations of the State Fire Marshal, except those described in Item 1 or 4.

3. The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in areas outside of corporate cities and districts providing fire protection services.

4. The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in corporate cities and districts providing fire protection services on request of the chief fire official or the governing body.

5. Any fee charged pursuant to the enforcement authority of this section shall not exceed the estimated reasonable cost of providing the service for which the fee is charged pursuant to Section 66014 of the Government Code.

~~111.2.1.2~~1.11.2.1.2 *Pursuant to Health and Safety Code Section 13108, and except as otherwise provided in this section, building standards adopted by the State Fire Marshal published in the California Building Standards Code relating to fire and panic safety shall enforce by the State Fire Marshal in all state-owned buildings, state-occupied buildings, and state institutions throughout the state. ~~upon~~Upon the written request of the chief fire official of any city, county or fire protection district, the State Fire Marshal may authorize such chief fire official and his or her authorized representatives, in their geographical area of responsibility, to make fire prevention inspections of state-owned or state-occupied buildings, other than state institutions, for the purpose of enforcing the regulations relating to fire and panic safety adopted by the State Fire Marshal pursuant to this section and building standards relating to fire and panic safety published in the California Building Standards Code. Authorization from the State Fire Marshal shall be limited to those fire departments or fire districts which maintain a fire prevention bureau staffed by paid personnel.*

Pursuant to Health and Safety Code Section 13108, any requirement or order made by any chief fire official who is authorized by the State Fire Marshal to make fire prevention inspections of state-owned or state-occupied buildings, other than state institutions, may be appealed to the State Fire Marshal. The State Fire Marshal shall, upon receiving an appeal and subject to the provisions of Chapter 5 (commencing with Section 18945) of Part 2.5 of Division 13 of the Health and Safety Code, determine if the requirement or order made is reasonably consistent with the fire and panic safety regulations adopted by the ~~Office of the~~ State Fire Marshal and building standards relating to fire and panic safety published in the California Building Code.

Any person may request a code interpretation from the State Fire Marshal relative to the intent of any regulation or provision adopted by the State Fire Marshal. When the request relates to a specific project, occupancy or building, the State Fire Marshal shall review the issue with the appropriate local enforcing agency prior to rendering such code interpretation.

~~111.2.1.3~~1.11.2.1.3 *Pursuant to Health and Safety Code Section 13112, any person who violates any order, rule or regulation of the State Fire Marshal is guilty of a misdemeanor punishable by a fine of not less than $100.00 or more than $500.00, or by imprisonment for not less than six months, or by both. A person is guilty of a separate offense each day during which he or she commits, continues or permits a violation of any provision of, or any order, rule or regulation of, the State Fire Marshal as contained in this code.*

Any inspection authority who, in the exercise of his or her authority as a deputy State Fire Marshal, causes any legal complaints to be filed or any arrest to be made shall notify the State Fire Marshal immediately following such action.

~~111.2.2~~1.11.2.2 Right of entry. *The fire chief of any city, county or fire protection district, or such person's authorized representative, may enter any state institution or any other state-owned or state-occupied building for the purpose of preparing a fire suppression preplanning program or for the purpose of investigating any fire in a state-occupied building.*

The State Fire Marshal, his or her deputies or salaried assistants, the chief of any city or county fire department or fire protection district and his or her authorized representatives may enter any building or premises not used for dwelling purposes at any reasonable hour for the purpose of enforcing this chapter. The owner, lessee, manager or operator of any such building or premises shall permit the State Fire Marshal, his or her deputies or salaried assistants and the chief of any city or county fire department or fire protection district and his or her authorized representatives to enter and inspect them at the time and for the purpose stated in this section.

~~111.2.3~~1.11.2.3 More restrictive fire and panic safety building standards.

~~111.2.3.1~~1.11.2.3.1 *Any fire protection district organized pursuant to Health and Safety Code Part 2.7 (commencing with Section 13800) of Division 12 may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code. For these purposes, the district board shall be deemed a legislative body and the district shall be deemed a local agency. Any changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety shall be subject to Section ~~101.8.1~~1.1.8.1.*

~~111.2.3.2~~1.11.2.3.2 *Any fire protection district that proposes to adopt an ordinance pursuant to this section shall, not less than 30 days prior to noticing a proposed ordinance for public hearing, provide a copy of that ordinance, together with the adopted findings made pursuant to Section ~~111.2.3.1~~1.11.2.3.1, to the city, county or city and county where the ordinance will apply. The city, county or city and county may provide the district with written comments, which shall become part of the fire protection district's public hearing record.*

~~111.2.3.3~~1.11.2.3.3 *The fire protection district shall transmit the adopted ordinance to the city, county or city and county where the ordinance will apply. The legislative body of the city, county or city and county may ratify, modify or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for any modifications or denial. No ordinance adopted by the district shall be effective until ratification by the city, county or city and county where the ordinance will apply. Upon ratification of an adopted ordinance, the city, county or city and county shall file a copy of the findings of the district, and any findings of the city, county or city and county, together with the adopted ordinance expressly marked and identified to which each finding refers, in accordance with Section ~~101.8.1.3~~1.1.8.1:3.*

***~~111.2.4~~1.11.2.4* Request for alternate means of protection.** *Requests for approval to use an alternative material, assembly or materials, equipment, method of construction, method of installation of equipment or means of protection shall be made in writing to the enforcing agency by the owner or the owner's authorized representative and shall be accompanied by a full statement of the conditions. Sufficient evidence or proof shall be submitted to substantiate any claim that may be made regarding its conformance. The enforcing agency may require tests and the submission of a test report from an approved testing organization as set forth in Title 19, California Code of Regulation, to substantiate the equivalency of the proposed alternative means of protection.*

When a request for alternate means of protection involves hazardous materials, the authority having jurisdiction may consider implementation of the findings and recommendations identified in a Risk Management Plan (RMP) developed in accordance with Title 19, Division 2, Chapter 4.5, Article 3.

Approval of a request for use of an alternative material, assembly of materials, equipment, method of construction, method of installation of equipment or means of protection made pursuant to these provisions shall be limited to the particular case covered by request and shall not be construed as establishing any precedent for any future request.

***~~111.2.5~~1.11.2.5* Appeals.** *When a request for an alternate means of protection has been denied by the enforcing agency, the applicant may file a written appeal to the State Fire Marshal for consideration of the applicant's proposal. In considering such appeal, the State Fire Marshal may seek the advice of the State Board of Fire Services. The State Fire Marshal shall, after considering all of the facts presented, including any recommendations of the State Board of Fire Services, determine if the proposal is for the purposes intended, at least equivalent to that specified in these regulations in quality, strength, effectiveness, fire resistance, durability and safety, and shall transmit such findings and any recommendations to the applicant and to the enforcing agency.*

***~~111.3~~1.11.3* Construction documents.**

***~~111.3.1~~1.11.3.1* Public schools.** *Plans and specifications for the construction, alteration or addition to any building owned, leased or rented by any public school district shall be submitted to the Division of the State Architect~~, Office of Regulation Services for review and approval~~.*

~~Exception:~~ *~~Upon the annual submission of a written request by the chief of any city, county or city and county fire department or fire protection district to the Division of the State Architect, Office of Regulation Services, approvals required by this subsection shall be obtained from the appropriate chief or his or her authorized representative. In such instances plans and specifications may be submitted to the State Fire Marshal for relay to the appropriate local authority or may be submitted directly to such local authority.~~*

***~~111.3.2~~1.11.3.2* Movable walls and partitions.** *Plans or diagrams shall be submitted to the enforcing agency for approval before the installation of, or rearrangement of, any movable wall or partition in any occupancy. Approval shall be granted only if there is no increase in the fire hazard.*

***~~111.3.3~~1.11.3.3* New construction high-rise buildings.**

1. Complete plans or specifications, or both, shall be prepared covering all work required to comply with new construction high-rise buildings. Such plans and specifications shall be submitted to the enforcing agency having jurisdiction.

2. All plans and specifications shall be prepared under the responsible charge of an architect or a civil or structural engineer authorized by law to develop construction plans and specifications, or by both such architect and engineer. Plans and specifications shall be prepared by an engineer duly qualified in that branch of engineering necessary to perform such services. Administration of the work of construction shall be under the charge of the responsible architect or engineer except that where plans and specifications involve alterations or repairs, such work of construction may be administered by an engineer duly qualified to perform such services and holding a valid certificate under Chapter 7 (commencing with Section 65700) of Division 3 of the Business and Professions Code for performance of services in that branch of engineering in which said plans, specifications and estimates and work of construction are applicable.

This section shall not be construed as preventing the design of fire-extinguishing systems by persons holding a C-16 license issued pursuant to Division 3, Chapter 9, Business and Professions Code. In such instances, however, the responsibility charge of this section shall prevail.

***~~111.3.4~~1.11.3.4* Existing high-rise buildings.**

1. Complete plans or specifications, or both, shall be prepared covering all work required by Section 3412 for existing high-rise buildings. Such plans or specifications shall be submitted to the enforcing agency having jurisdiction.

2. When new construction is required to conform with the provisions of these regulations, complete plans or specifications, or both, shall be prepared in accordance with the provisions of this subsection. As used in this section, "new construction" is not intended to include repairs, replacements or minor alterations which do not disrupt or appreciably add to or affect the structural aspects of the building.

***~~111.3.5~~1.11.3.5* Retention of plans.** *Refer to Building Standards Law, Health and Safety Code Sections 19850 and 19851 for permanent retention of plans.*

***~~111.4~~1.11.4* Fees.**

***~~111.4.1~~1.11.4.1* Other fees.** *Pursuant to Health and Safety Code Section 13146.2, a city, county or district which inspects a hotel, motel, lodging house or apartment house may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county or district, sufficient to pay its costs of that inspection.*

***~~111.4.2~~1.11.4.2* Large family day care.** *Pursuant to Health and Safety Code Section 1597.46, Large Family Day Care Homes, the local government shall process any required permit as economically as possible, and fees charged for review shall not exceed the costs of the review and permit process.*

***~~111.4.3~~1.11.4.3* High-rise.** *Pursuant to Health and Safety Code Section 13217, High-rise Structure Inspection: Fees and costs, a local agency which inspects a high-rise structure pursuant to Health and Safety Code Section 13217 may charge and collect a fee for the inspection from the owner of the high-rise structure in an amount, as determined by the local agency, sufficient to pay its costs of that inspection.*

***~~111.4.4~~1.11.4.4* Fire clearance preinspection.** *Pursuant to Health and Safety Code Section 13235, Fire Clearance Preinspection, fee, upon receipt of a request from a prospective licensee of a community care facility, as defined in Section 1502, of a residential care facility for the elderly, as defined in Section 1569.2, or of a child day care facility, as defined in Section 1596.750, the local fire enforcing agency, as defined in Section 13244, or State Fire Marshal, whichever has primary jurisdiction, shall conduct a preinspection of the facility prior to the final fire clearance approval. At the time of the preinspection, the primary fire enforcing agency shall price consultation and interpretation*

of the fire safety regulations and shall notify the prospective licensee of the facility in writing of the specific fire safety regulations which shall be enforced in order to obtain fire clearance approval. A fee of not more than $50.00 may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee of not more than $100.00 may be charged for a preinspection of a facility with a capacity to serve 26 or more persons.

***~~111.4.5~~1.11.4.5* Care facilities.** *The primary fire enforcing agency shall complete the final fire clearance inspection for a community care facility, residential care facility for the elderly, or child day care facility within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final prelicensure inspection by the State Department of Social Services, whichever is later.*

Pursuant to Health and Safety Code Section 13235, a preinspection fee of not more than $50.00 may be charged for a facility with a capacity to serve 25 or less clients. A fee of not more than $100.00 may be charged for a preinspection of a facility with a capacity to serve 26 or more clients.

Pursuant to Health and Safety Code Section 13131.5, a reasonable final inspection fee, not to exceed the actual cost of inspection services necessary to complete a final inspection may be charged for occupancies classified as residential care facilities for the elderly (RCFE)

Pursuant to Health and Safety Code Section 1569.84, neither the State Fire Marshal nor any local public entity shall charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential care facilities for the elderly (RCFE) which service six or fewer persons.

***~~111.4.6~~1.11.4.6* Requests of the Office of the State Fire Marshal.** *Whenever a local authority having jurisdiction requests that the State Fire Marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.*

***~~111.5~~1.11.5* Inspections.** *Work performed subject to the provisions of this code shall comply with the inspection requirements of Title 24, Part 2, California Building Standards Code, Sections 109.1, 109.3, 109.3.4, 109.3.5, 109.3.6, 109.3.8, 109.3.9, 109.3.10 109.5 and 109.6 as adopted by the Office of the State Fire Marshal.*

***~~111.5.1~~1.11.5.1* Existing Group I -1 or R occupancies.** *Licensed 24-hour care in a Group I-1 or R occupancy in existence and originally classified under previously adopted state codes shall be reinspected under the appropriate previous code, provided there is no change in the use or character which would place the facility in a different occupancy group.*

***~~111.6~~1.11.6* Certificate of Occupancy.** *A Certificate of Occupancy shall be issued as specified in Title 24, Part 2, California Building Code, ~~Appendix Chapter 1,~~ Section 110.*

Exception: *Group R, Division 3 and Group U occupancies.*

***~~111.7~~1.11.7* Temporary structures and uses.** *See Title 24, Part 2, California Building Code, ~~Appendix Chapter 1,~~ Section 107.*

***~~111.8~~1.11.8* Service utilities.** *See Title 24, Part 2, California Building Code, ~~Appendix Chapter 1,~~ Section 111.*

***~~111.9~~1.11.9* Stop work order.** *See Title 24, Part 2, California Building Code, ~~Appendix Chapter 1,~~ Section 114.*

***~~111.10~~1.11.10* Unsafe buildings, structures and equipment.** *See Title 24, Part 2, California Building Code, ~~Appendix Chapter 1,~~ Section 115.*

Notation:
Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.45, 1597.46, 1597.54, 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189
References: Health and Safety Code Sections 13143, 18949.2, Government Code

Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

[1.2. The SFM proposes to not adopt Chapter 1.]
(UPC Chapter 1 Administrative provisions - Sections 101 through 117 relocated to Division II of Chapter 1.)

DIVISION II

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[2. The SFM proposes to adopt specific Sections of Chapter 2 with the following amendments and California regulations, adopt only those Sections or Definitions listed the corresponding Matrix Adoption Table.]

CHAPTER 2
DEFINITIONS

223.0
~~***U.P.C. [SFM]*** *The latest edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials.*~~

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[3. [The SFM proposes to adopt specific Sections of Chapter 3 with the following amendments and California regulations, adopt only those Sections listed the corresponding Matrix Adoption Table.]

CHAPTER 3
GENERAL REGULATIONS

~~***311.11***~~ ***311. 9 [SFM]*** *Plastic piping shall not be exposed as a portion of the interior room finish in a building or structure if the piping has a flame-spread rating exceeding 75 when tested in accordance with ASTM E 84-77a, "Test for Surface Burning Characteristics of Building Materials."*

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[4. The SFM proposes to not adopt Chapter 4.]

CHAPTER 4
PLUMBING FIXTURES AND FIXTURE FITTINGS

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[5. The SFM proposes to adopt Chapter 5 with the following amendments and California regulations.]

CHAPTER 5
WATER HEATERS

~~**508.2** In seismic design categories C, D, E, and F, water heaters shall be anchored or strapped to resist horizontal displacement due to earthquake motion. Strapping shall be at points within the upper one third (1/3) and lower one-third (1/3) of its vertical dimensions. At the lower point, a minimum distance of four (4) inches (102 mm) shall be maintained above the controls with the strapping.~~

508.2 *Protection from Seismic Damage. Water heaters shall be anchored or strapped to resist horizontal displacement due to earthquake motion. Strapping shall be at points within the upper one third (1/3) and lower one-third (1/3) of its vertical dimensions. At the lower point, a minimum distance of four (4) inches (102 mm) shall be maintained above the controls with the strapping.*

Note: *The applicable subsection of Health and Safety Code Section 19211(a) which addresses new, replacement, and existing water heaters is repeated here for clarity and reads as follows:*

Section 19211(a) *Notwithstanding Section 19100, all new and replacement water heaters, and all existing residential water heaters shall be braced, anchored, or strapped to resist falling or horizontal displacement due to earthquake motion. At a minimum, any water heater shall be secured in accordance with the California Plumbing Code, or modifications made thereto by a city county, or city and county pursuant to Section 17958.5.*

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[6. The SFM proposes to adopt specific Sections of Chapter 6 with the following amendments and California regulations, adopt only those Sections listed the corresponding Matrix Adoption Table.]

CHAPTER 6
WATER SUPPLY AND DISTRIBUTION

603.4.16 Protection from Fire Systems

Note: *Fire Protection Systems has not been adopted by the State Fire Marshal. This section cannot be adopted or enforced pursuant to California Health and Safety Code 13114.7 (a), which is being cited for reference.*

California Health and Safety Code 13114.7 (a) For the purposes of this section the following are definitions of class I and class II systems;

> *(1) American Water Works Association (A.W.W.A.) Manuel No. M-14 class 1—Automatic fire sprinkler systems with direct connection from public water mains only; no pumps, tanks, or reservoirs; no physical connection from other water supplies; no antifreeze or additives of any kind; and all sprinkler drains discharging to the atmosphere or other safe outlets.*
>
> *(2) American Water Works Association (A.W.W.A) Manual No. M-14 class 2 –Automatic fire sprinkler systems which are the same as class 1, except that booster pumps may be installed in the connections from the street mains.*

(b)Automatic fire sprinkler systems described in subdivision (a) shall not require any backflow protection equipment at the service connection other than required by standards for those systems contained in the publication of the National Fire Protection Association entitled "Installation of Sprinkler Systems" (N.F.P.A Pamphlet No. 13, 1980 edition).

Notation:
Authority: Health and Safety Code Sections 13108, 13114.7, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[7. The SFM proposes to not adopt Chapters 7 through 11.]

CHAPTER 7
SANITARY DRAINAGE

CHAPTER 8
INDIRECT WASTES

CHAPTER 9
VENTS

CHAPTER 10
TRAPS AND INTERCEPTORS

CHAPTER 11
STORM DRAINAGE

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[8. The SFM proposes to adopt Chapter 12 with the following amendments and California regulations.]

CHAPTER 12
FUEL PIPING

1211.16 Electrical Connections.
(A) All electrical connections between wiring and electrically operated control devices in a piping system shall conform to the requirements of ~~NFPA 70, *National Electrical Code*~~ *California Electrical Code.*
(B) Any essential safety control depending on electric current as the operating medium shall be of a type that will shut off (fail safe) the flow of gas in the event of current failure. [NFPA 54: 7.15.2]

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[9. The SFM proposes to adopt Chapter 13 without amendments.]

CHAPTER 13
HEALTH CARE FACILITIES AND MEDICAL GAS AND VACUUM SYSTEMS

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[10. The SFM proposes to adopt Chapter 14 without amendments]

CHAPTER 14
MANDATORY REFERENCED STANDARDS - TABLE 14-1

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[11. The SFM proposes to adopt Chapter 15 without amendments.]

CHAPTER 15
FIRESTOP PROTECTION

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18928, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[12. The SFM proposes to not adopt Chapter 16.]

CHAPTER 16
GRAY WATER SYSTEMS

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[13. The SFM proposes to not adopt Appendices A through L]

APPENDIX A
RECOMMENDED RULES FOR SIZING THE WATER SUPPLY SYSTEM

APPENDIX B
EXPLANATORY NOTES ON COMBINATION WASTE AND VENT SYSTEMS

APPENDIX D
SIZING STORMWATER DRAINAGE SYSTEMS

APPENDIX E
MANUFACTURED/MOBILE HOME PARKS AND RECREATIONAL VEHICLE PARKS

APPENDIX F
FIREFIGHTER BREATHING AIR REPLENISHMENT SYSTEMS

APPENDIX I
INSTALLATION STANDARDS TABLE OF CONTENT

APPENDIX K
PRIVATE SEWAGE DISPOSAL SYSTEMS

APPENDIX L
ALTERNATE PLUMBING SYSTEMS

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[14. The SFM proposes to not adopt Appendices for Useful Tables]

USEFUL TABLES

Notation:
Authority: Health and Safety Code Sections 13108, 13143, 13143.9, 13146, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

CALIFORNIA PLUMBING CODE – MATRIX ADOPTION TABLES

[1, 1.1 and 1.2. The SFM proposes to adopt only those Sections listed the following Matrix Adoption Table.]

CHAPTER 1
ADMINISTRATION

Adopting Agency	BSC	SFM	HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SLC
			1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter																			
Adopt Entire Chapter as amended (amended sections listed below)																			
Adopt only those sections that are listed below		X																	
Chapter / Section																			
Division I																			
1.1 – 1.12		X																	
1.11 – 1.11.10		X																	
Division II																			

[2. The SFM proposes to adopt the following Chapter without amendment.]

CHAPTER 2
DEFINITIONS

Adopting Agency	BSC	SFM	HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SLC
			1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter		X																	
Adopt Entire Chapter as amended (amended sections listed below)																			
Adopt only those sections that are listed below																			
Chapter / Section																			

[3. The SFM proposes to adopt the following Chapter with amendments and California regulations Sections listed the following Matrix Adoption Table.]

CHAPTER 3
GENERAL REGULATIONS

Adopting Agency	BSC	SFM	HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SLC
			1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter																			
Adopt Entire Chapter as amended (amended sections listed below)		X																	
Adopt only those sections that are listed below																			
Chapter / Section																			
311.9		X																	

[5. The SFM proposes to adopt the following Chapter with amendments and California regulations Sections listed the following Matrix Adoption Table.]

CHAPTER 5
WATER HEATERS

Adopting Agency	BSC	SFM	HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SL C
			1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter																			
Adopt Entire Chapter as amended (amended sections listed below)		X																	
Adopt only those sections that are listed below																			
Chapter / Section																			
508.2		X																	

[6. The SFM proposes to adopt only those Sections listed the following Matrix Adoption Table.]

CHAPTER 6
WATER SUPPLY AND DISTRIBUTION

Adopting Agency	BSC	SFM	HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SL C
			1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter																			
Adopt Entire Chapter as amended (amended sections listed below)																			
Adopt only those sections that are listed below		X																	
Chapter / Section																			
603.4.16		X																	

[8. The SFM proposes to adopt the following Chapter with amendments and California regulations Sections listed the following Matrix Adoption Table.]

CHAPTER 12
FUEL PIPING

Adopting Agency	BSC	SFM	HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SL C
			1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter																			
Adopt Entire Chapter as amended (amended sections listed below)		X																	
Adopt only those sections that are listed below																			
Chapter / Section																			
1211.16		X																	

[9. The SFM proposes to adopt the following Chapter without amendment.]

CHAPTER 13
HEALTH CARE FACILITIES AND MEDICAL GAS AND VACUUM SYSTEMS

Adopting Agency	BSC	SFM	HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SL C
			1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter		X																	
Adopt Entire Chapter as amended (amended sections listed below)																			
Adopt only those sections that are listed below																			
Chapter / Section																			

[10. The SFM proposes to adopt the following Chapter without amendment.]

CHAPTER 14
MANDATORY REFERENCED STANDARDS - TABLE 14-1

Adopting Agency	BSC	SFM	HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SL C
			1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter		X																	
Adopt Entire Chapter as amended (amended sections listed below)																			
Adopt only those sections that are listed below																			
Chapter / Section																			
ASME A112.20.1-2004		†																	

This state agency does not adopt sections identified with the following symbol: †

[11. The SFM proposes to adopt the following Chapter without amendment.]

CHAPTER 15
FIRESTOP PROTECTION

Adopting Agency	BSC	SFM	HCD			DSA		OSHPD				CSA	DHS	AGR	DWR	CEC	CA	SL	SL C
			1	2	1/AC	AC	SS	1	2	3	4								
Adopt Entire Chapter		X																	
Adopt Entire Chapter as amended (amended sections listed below)																			
Adopt only those sections that are listed below																			
Chapter / Section																			