

STATE OF CALIFORNIA  
STATE AND CONSUMER SERVICES AGENCY  
CALIFORNIA BUILDING STANDARDS COMMISSION  
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Office Use Item No. \_\_\_\_\_

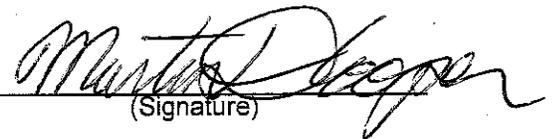
**PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 24, 2012**  
Written comments are to be sent to the above address.

**WRITTEN COMMENT DEADLINE: OCTOBER 8, 2012**

Date: September 14, 2012

From:

Martin Cooper  
Name (Print or type)

  
(Signature)

City of Foster City

Agency, jurisdiction, chapter, company, association, individual, etc.

610 Foster City Blvd      Foster City      CA      94404  
Street                      City                      State                      Zip

I/We (do)(do not) agree with:

The Agency proposed modifications As Submitted on Section No. 408.5

and request that this section or reference provision be recommended:

Approved     Disapproved     Held for Further Study     Approved as Amended

**Suggested Revisions to the Text of the Regulations:**

At the conclusion of the section, prior to the exceptions, add the following:

The immediate adjoining space to showers without thresholds are to be considered as wet areas and shall meet the requirements of the California Building Code, California Residential Code and California Electrical Code.

**Reason:** [The reason should be concise if the request is for "Disapproval," "Further Study," or "Approve As Amend" and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

Currently non accessible showers without thresholds are approved by the local jurisdiction as an alternative method of construction on a case by case basis. The proposed amendment to section 408.5 would eliminate potential conflicts between the California Plumbing Code and other parts of Title 24, such as California Electrical Code 410.10D, California Building Code 1210.1 and California Residential Code R307.2. Electrical switches and outlets could need to be relocated out of the possible range of the shower spray. Wall and floor construction would need to be constructed to be resistant to the effects of repeated exposure to moisture. The California Electrical Code defines the wet areas at

showers as 3 feet wide by 8 feet tall; the California Building and Residential Codes protect the structure from shower spray to a point 70 inches above the drain. Manufacturers now market shower receptors without thresholds that can replace bathtubs. The amended CPC language would provide clarification to the Building Official, along with the end user, for enforcement of the California Building, Residential and Electrical Code.

#### **HEALTH & SAFETY CODE SECTION 18930**

#### **SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS**

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
  - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
  - (3) The public interest requires the adoption of the building standards.
  - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
  - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
  - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
  - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
    - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
    - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
  - (8) The format of the proposed building standards is consistent with that adopted by the commission.
  - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.