INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE 2013 CALIFORNIA BUILDING CODE (CBC)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2

(HCD 06/12)

The Administrative Procedure Act (APA) requires an Initial Statement of Reasons (ISOR) to be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE AND BENEFITS:
(Government Code Section 11346.2 requires a statement of specific purpose of **EACH** adoption, amendment or repeal, the problem the agency intends to address and the rationale for the determination by the agency that EACH adoption, amendment or repeal is reasonably necessary to carry out the purpose, including the problem the agency intends to address, for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.)

1) The Public Problem, Administrative Requirement, or Other Circumstance Addressed.

Administrative Requirement: Health and Safety Code Sections 17922 and 19990 direct the Department of Housing and Community Development (HCD) to adopt the most recent edition of the model code, which in this case is the International Building Code published by the International Code Council (ICC) as selected by the California Building Standards Commission (CBSC), into Part 2 of Title 24 of the California Code of Regulations.

2) Specific Purpose

The CBSC selected the 2012 International Building Code (IBC), published by the International Code Council, as the model code to be referenced in Title 24, Part 2 for the 2012 Triennial Code Adoption Cycle.

The specific purpose of these regulations is to adopt by reference the 2012 edition of the International Building Code, with California Amendments, into the 2013 California Building Code (California Code of Regulations (CCR), Title 24, Part 2), for the following programs:

a) **State Housing Law**: relative to residential occupancies, buildings or structures accessory thereto and as provided in Health and Safety Code Section 17921.2.

b) **Employee Housing Act**: relative to any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.

c) **Mobilehome Parks or Special Occupancy Parks**: relative to the use of building systems in or on any permanent buildings, accessory buildings, and structures under the ownership and control of the park operator within the park in accordance with Health and Safety Code Section 18300 for mobilehome parks, and Health and Safety Code Section 18865 for special occupancy parks.

d) **Factory-Built Housing Law**: relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

3) Rationale for Necessity

The 2012 International Building Code was published by the ICC and will automatically become adopted in its entirety, pursuant to Health and Safety Code Section 17922 (b), one year from its date of publication if not amended and proposed by HCD to the CBSC for adoption.

If the 2012 International Building Code becomes adopted in its entirety without being proposed for adoption with amendments by HCD to the CBSC, such automatic adoption would cause considerable confusion because California Amendments are necessary modifications to the model code language to ensure that the 2013 California Building Code is consistent with state law and unique California conditions.

It is necessary to propose the adoption of some sections of the 2012 International Building Code, with amendments to the model code language, to incorporate state and federal laws and regulations, and to benefit the health, safety, and general welfare of California residents.

It is necessary to not propose the adoption of some sections of the 2012 International Building Code, as they would conflict with certain existing state and federal laws, and would not benefit the health, safety, and general welfare of California residents.

It is necessary to propose the removal of some California Amendments previously proposed and adopted in the 2010 California Building Code that are duplicated or replaced by similar new model code language, or incorporated state and federal laws, and are no longer necessary.

It is necessary to propose to bring forward previously existing California Amendments. Some existing amendments will be brought forward without any changes and will represent no change in their effect from the 2010 California Building Code. Other previously existing California Amendments will be changed as explained below.

Specific Proposed Regulatory Actions:

HCD proposes to adopt by reference the 2012 edition of the International Building Code with amendments into the 2013 California Building Code. These proposed amendments are intended to provide clarity, specificity and direction to the code user and to implement and make specific existing state laws. Many of the proposed amendments are a result of recommendations developed during the public participation period prior to submittal to the California Building Standards Commission (CBSC) to be included in the 2012 Triennial Code Adoption Cycle. The rationale for each amendment is listed below.

PART 1

1. CHAPTER 1
DIVISION I
CALIFORNIA ADMINISTRATION

HCD proposes to bring forward existing California amendments in Chapter 1, Division I, California Administration, from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 1.1 – GENERAL

Section: 1.1.1 Title.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with modification. The reference to the International Building Code is updated to show the change from the 2009 International Building Code to the 2012 International Building Code. The punctuation correction (comma between “adoption” and “amendment” in the second sentence) provides clarity and consistency with other parts of this code. There is no intended change in regulatory effect.

2. CHAPTER 1
DIVISION II
SCOPE AND ADMINISTRATION

SECTION 105 – PERMITS

Section: **105.2 Work exempt from permit (Building only)**

Rationale: HCD proposes to adopt the above referenced section, Building: (1) – (13) only, from the 2012 International Building Code for adoption into the 2013 California Building Code without amendment.

SECTION 107 – SUBMITAL DOCUMENTS

Sections: **107.1 General.**
107.2.1 Information on construction documents.
107.2.4 Exterior wall envelope.
107.2.5 Site plan.

Rationale: HCD proposes to adopt the above referenced sections from the 2012 International Building Code for adoption into the 2013 California Building Code without amendment. These sections are referenced in other parts of this code adopted by HCD and used as part of the local agency permitting and inspection process. Similar provisions are adopted in CALGreen, Chapter 1, and are also required for meeting mandatory measures in CALGreen, Chapter 4. HCD's adoption of these sections gives local enforcing agencies clear guidance.

SECTION 110 – INSPECTIONS

Sections: **110.3.1 Footing and foundation inspection.**
110.3.2 Concrete slab and under-floor inspection.
110.3.3 Lowest floor elevation.
110.3.4 Frame inspection.
110.3.5 Lath and gypsum board inspection.
110.3.6 Fire- and smoke-resistant penetrations.
110.3.8 Other inspections.
110.3.9 Special inspections.
110.3.10 Final inspection.

Rationale: HCD proposes to adopt the above referenced sections from the 2012 International Building Code for adoption into the 2013 California Building Code without amendment.

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3. CHAPTER 1
DIVISION II
SCOPE AND ADMINISTRATION

SECTION 110 – INSPECTIONS

Sections: **110.3.4.1 Moisture content verification.**
110.3.10.2 Operation and maintenance manual.

Rationale: HCD proposes to adopt the above referenced new California amendments into the 2013 California Building Code. During this rulemaking, pointers to mandatory CALGreen Code requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen Code requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue the CALGreen Code, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

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4. CHAPTER 2
DEFINITIONS

HCD proposes to adopt Chapter 2 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 201 – GENERAL

Section: 201.3 Terms defined in other codes.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The existing California amendment is being further modified to correct an oversight and to align with changes made to the 2012 International Building Code. The amendment eliminates the reference to the International Fuel Gas Code (omitted in the 2010 California Building Code) and International Energy Conservation Code (new in the 2012 International Building Code), and changes references from the International Fire Code, International Mechanical Code and International Plumbing Code to the California Fire Code, California Mechanical Code and California Plumbing Code, respectively. There is no intended change in regulatory effect.

SECTION 202 – DEFINITIONS

Notes:

1. The 2012 International Building Code has relocated all definitions from multiple chapters to a single location in Chapter 2, Section 202. The specifically defined terms are listed in their previous locations in other chapters, but with no definitions.

2. The Division of the State Architect (DSA) is currently developing its proposals for modification and/or reorganization of Chapter 11B. As a result, HCD proposes to delete existing references to Chapter 11B in the amended definitions and sections related to accessibility addressed in this regulatory action. HCD will continue to monitor and evaluate DSA's proposals, when available. Definitions and sections related to accessibility may need further revision as the rulemaking process continues.

ACCESSIBILITY.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

ACCESSIBLE.
Rationale: HCD proposes to <u>not</u> adopt the above referenced definition from the 2012 International Building Code. HCD proposes to bring forward the definition of "ACCESSIBLE" from the 2010 California Building Code for adoption into the 2013 California Building Code. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

APPROVED.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. Item 3 referencing Section 17921.3 of Health and Safety Code, as applied to the definition for "Approved" for low flush water closets in residential construction, is proposed for deletion because it conflicts with the Health and Safety Code. Section 17921.3 was repealed in 2008 and new language was added when AB 715 was enacted. The definition for "Approved" that includes low flush water closets in residential construction is no longer part of this section. To align with the deletion of Item 3, the existing items 4, 5 and 6 are renumbered to 3, 4 and 5. HCD proposes this modification to provide additional clarity. There is no intended change in regulatory effect.

AUTOMATIC DOOR.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. This definition refers the code user to the definitions located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

CELLULAR CONCRETE.
See rationale for **CONCRETE, CELLULAR**.

CIRCULATION PATH.
Rationale: HCD proposes to adopt the above referenced definition from the 2012 International Building Code for adoption into the 2013 California Building Code. In doing so, HCD will discontinue co-adoption of this definition with the Division of the State Architect (DSA) definition in Chapter 11B. The adoption of the model code definition will provide clarity to the code user.

The definition of "CIRCULATION PATH" was part of the model code when the 2006 International Building Code was adopted in California (this definition did not exist in the Uniform Building Code). However, HCD did not adopt this definition during the 2006 and 2009 Triennial Code Adoption Cycles (2007 California Building Code and 2010 California Building Code) because it referenced Chapter 11, which is not printed in the California Building Code. Instead, HCD adopted the same definition as DSA (this definition previously adopted by DSA in the 2001, 2007 and 2010 California Building Code), which is similar to the definition in the model code.

In 2012 International Building Code, all definitions, including "CIRCULATION PATH", have been moved to a single location in Chapter 2 so there is no necessity for the California amendment to be brought forward and duplicate the model code language. There is no intended change in regulatory effect.

COMMON USE AREAS.
CROSS SLOPE.
CURB CUT.
CURB RAMP.
Rationale: HCD proposes to bring forward the above referenced definitions from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendments refer the code user to the definitions located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

CONCRETE, CELLULAR.
Rationale: HCD proposes to not adopt the above referenced definition from the 2012 International Building Code. HCD proposes to bring forward the definition of "CELLULAR CONCRETE" from the 2010 California Building Code for adoption into the 2013 California Building Code.

DETACHED SINGLE-FAMILY DWELLING.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The term has been carried forward and adopted by HCD since 1979. However, the California amendment reflects the current building and zoning regulations, which allow construction of detached single family dwellings with zero clearance to the property line, and less than 6 feet from adjacent buildings, if adequate fire separation and fire resistance is maintained.

DETECTABLE WARNING.
Rationale: HCD proposes to not adopt the above referenced definition from the 2012 International Building Code. HCD proposed to bring forward the definition of "DETECTABLE WARNING" from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

DWELLING UNIT.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

EQUIVALENT FACILITATION.

Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

FACILITY (OR FACILITIES).
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

GRAB BAR.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

IMPACT INSULATION CLASS (IIC).
Rationale: HCD proposes to repeal the above referenced California definition. The term "IMPACT INSULATION CLASS" is used in Section 1207 (Sound Transmission), which is a California amendment. Section 1207 is proposed for deletion by HCD.

INTERNATIONAL SYMBOL OF ACCESSIBILITY.
KICK PLATE.
LEVEL AREA.
LIFT, PLATFORM (WHEELCHAIR).
MARKED CROSSING.
NOSING (OR NOSE).
OPEN RISER.
PASSAGE DOOR.
PEDESTRIAN.
PEDESTRIAN RAMP.
PEDESTRIAN WAY.
PLATFORM (WHEELCHAIR) LIFT.
Rationale: HCD proposes to bring forward the above referenced definitions from the 2010 California Building Code for adoption into the 2013 California Building Code with amendments. The California amendments refer the code user to the definitions located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

PUBLIC ENTRANCE.
Rationale: HCD proposes to adopt the above referenced definition from the 2012 International Building Code for adoption into the 2013 California Building Code and repeal the existing California amendment for this definition. HCD did not adopt this definition during the 2009 Triennial Code Adoption Cycle (2010 California Building Code) because it referenced Chapter 11, a chapter not printed in the California Building Code. Instead, HCD adopted a California amendment, which mirrored the definition in Chapter 11. In the 2012 International Building Code, all definitions, including "PUBLIC ENTRANCE", have been moved to a single location in Chapter 2 so there is no necessity for the California amendment to be brought forward and duplicate the model code language. There is no intended change in regulatory effect.

PUBLIC-USE AREAS.
Rationale: HCD proposes to not adopt the above referenced definition from the 2012 International Building Code. HCD proposes to bring forward the definition of "PUBLIC-USE AREAS" from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

PUBLICLY FUNDED.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The HCD 1-AC banner is added, clarifying that the term is used in Chapter 11A (as currently shown in the Matrix Adoption Table). The HCD 2 banner is proposed for deletion. With this modification, HCD is correcting an oversight, carried forward since the 2001 California Building Code. The HCD 2 banner was a designation for housing accessibility in earlier codes. Currently, the HCD 2 banner designates buildings and structures in mobilehome parks and special occupancy parks. This modification provides clarity to the code users. There is no intended change in regulatory effect.

RAMP.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to definition located in Chapter 11A. This amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

RESTRICTED ENTRANCE.
Rationale: HCD proposes to adopt the above referenced definition from the 2012 International Building Code for adoption into the 2013 California Building Code and repeal the existing California amendment for this definition. HCD did not adopt this definition during the 2009 Triennial Code Adoption Cycle (2010 California Building Code) because it referenced Chapter 11, a chapter not printed in the California Building Code. Instead, HCD adopted a California amendment, which mirrored the definition in Chapter 11. In the 2012 International Building Code, all definitions, including “Restricted Entrance”, have been moved to a single location in Chapter 2 so there is no necessity for the California amendment to be brought forward and duplicate the model code language. There is no intended change in regulatory effect.

RISER.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

SANITARY FACILITY.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The HCD 1-AC banner is added, clarifying that the term is used in Chapter 11A (as currently shown in the Matrix Adoption Table). The HCD 2 banner is proposed for deletion. HCD authority regarding accessibility is for privately funded multifamily dwellings. HCD 2 buildings (permanent buildings in mobilehome parks and special occupancy parks) are generally transient in nature and a public use; therefore, subject to Chapter 11B requirements for accessibility. The change corrects an oversight from an old HCD 2 banner, which was once used as a designation for housing accessibility. This modification provides clarity. There is no intended change in regulatory effect.

SERVICE ENTRANCE.
Rationale: HCD proposes to adopt the above referenced definition from the 2012 International Building Code for adoption into the 2013 California Building Code and repeal the existing California amendment for this definition. HCD did not adopt this definition during the 2009 Triennial Code Adoption Cycle (2010 California Building Code) because it referenced Chapter 11, a chapter not printed in the California Building Code. Instead, HCD adopted a California amendment, which mirrored the definition in Chapter 11. In the 2012 International Building Code, all definitions, including “Service Entrance”, have been moved to a single location in Chapter 2 so there is no necessity for the California amendment to be brought forward and duplicate the model code language. There is no intended change in regulatory effect.

SHOPPING CENTER (OR SHOPPING MALL).
Rationale: HCD proposes to repeal the above referenced California definition since the term “SHOPPING CENTER (OR SHOPPING MALL)” is not used in HCD’s existing or proposed standards.

SIDEWALK.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides the code user with information necessary to differentiate between "WALK" and "SIDEWALK." There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

SITE.
Rationale: HCD proposes to adopt the above referenced definition from the 2012 International Building Code for adoption into the 2013 California Building Code and repeal the existing California amendment for this definition. HCD did not adopt this definition during the 2009 Triennial Code Adoption Cycle (2010 California Building Code) because it referenced Chapter 11, a chapter not printed in the California Building Code. Instead, HCD adopted a California amendment, which mirrored the definition in Chapter 11. In the 2012 International Building Code, all definitions, including "SITE", have been moved to a single location in Chapter 2 so there is no necessity for the California amendment to be brought forward and duplicate the model code language. There is no intended change in regulatory effect.

SLEEPING ACCOMMODATIONS.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

SOUND TRANSMISSION CLASS (STC).
Rationale: HCD proposes to repeal the above referenced California definition. The term "SOUND TRANSMISSION CLASS" is used in Section 1207 (Sound Transmission), which is a California amendment. Section 1207 is proposed for deletion by HCD.

TRANSIENT LODGING.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

TREAD.
Rationale: HCD proposes to bring forward the above referenced definition from the 2010 California Building Code for adoption into the 2013 California Building Code. It is being relocated from Chapter 11A to Chapter 2. Currently, the definition of "TREAD" in Chapter 2 refers the code user to the definition located in Chapter 11A. The definitions in both chapters are identical so there is no reason for the same definition to be maintained in two chapters. The relocation of this definition complies with the new model code format. There is no intended change in regulatory effect.

WALK.
Rationale: HCD proposes to bring forward the above referenced definition from the 2012 International Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to the definition located in Chapter 11A. There is no intended change in regulatory effect. (See Section 202 - Definitions, Note 2, for the deletion of the reference to Section 1102B).

WHEELCHAIR SPACE.
Rationale: HCD proposes to adopt the above referenced definition from the 2012 International Building Code into the 2013 California Building Code and repeal the existing California amendment for this definition. HCD did not adopt this definition during the 2009 Triennial Code Adoption Cycle (2010 California Building Code) because it referenced Chapter 11, a chapter not printed in the California Building Code. Instead, HCD adopted a California amendment, which mirrored the definition in Chapter 11. In the 2012 International Building Code, all definitions, including "WHEELCHAIR SPACE", have been moved to a single location in Chapter 2 so there is no necessity for the California amendment to be brought forward and duplicate the model code language. There is no intended change in regulatory effect.

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5. CHAPTER 3
USE AND OCCUPANCY CLASSIFICATION

HCD proposes to adopt Chapter 3 from the 2012 International Building Code into the 2013 California Building Code without new amendment. HCD proposes to not adopt Section 308.3.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

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6. CHAPTER 4
SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

HCD proposes to adopt Chapter 4 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 406 – MOTOR-VEHICLE RELATED OCCUPANCIES

Section: 406.4.1 Clear height. (Formerly Section 406.2.2)

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment, including renumbering for compliance with the reorganized model code. The California amendment provides the code user with the correct reference to the chapter that contains parking height requirements for van-accessible parking. The reference to Chapter 11B is proposed for elimination due to anticipated revisions by the DSA.

SECTION 419 – LIVE/WORK UNITS

Section: 419.7 Accessibility.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. This California amendment informs the code user of possible applicable accessibility provisions, depending on building design and use, in Chapter 11A since Chapter 11 of the International Building Code is not proposed for adoption and will not be printed in the California Building Code. The reference to Chapter 11B is proposed for elimination due to anticipated revisions by the DSA.

Section: 419.9 Plumbing Facilities.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides the correct reference to the California Plumbing Code since Chapter 29 of the International Building Code is not proposed for adoption in California. HCD proposes to replace the reference to Chapter 29 with a reference to the California Plumbing Code. Section 1103.2.13 of the International Building Code, referenced in this model code section, is also proposed for deletion since Chapter 11 of the International Building Code is not proposed for adoption and will not be printed in the California Building Code. This California amendment is necessary because of the new model code language.

SECTION 420 – GROUPS I-1, R-1, R-2, R-3

Section: 420.7 Construction waste management.

Rationale: HCD proposes to adopt the above referenced new California amendment into the 2013 California Building Code. During this rulemaking, pointers to mandatory CALGreen Code requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen Code requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue the CALGreen Code, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

7. CHAPTER 5
GENERAL BUILDING HEIGHTS AND AREAS

HCD proposes to adopt Chapter 5 from the 2012 International Building Code into the 2013 California Building Code without new amendment.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

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8. CHAPTER 6
TYPES OF CONSTRUCTION

HCD proposes to adopt Chapter 6 from the 2012 International Building Code into the 2013 California Building Code without new amendment.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 602 – CONSTRUCTION CLASSIFICATION

TABLE 602 – FIRE RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE (Footnote h)

Rationale: HCD proposes to repeal the existing California amendment to Table 602. This California amendment reflects the separation distance for Group R-3 and Group U occupancies, accessory to Group R-3 occupancies, which is an exception to the general requirements in Table 602. During the last code adoption cycle, HCD proposed an amendment to this note reflecting the adoption of the International Residential Code in California. The Office of the State Fire Marshal further amended this note, overriding HCD's proposal. Currently, the SFM amendment is part of the 2010 California Building Code.

HCD agrees with the SFM that this note needs to be maintained since there will be Group R-3 buildings that exceed the scope of the California Residential Code (e.g., 4-story dwellings.) The SFM has the authority to develop and maintain building standards related to fire separation so there is no need for two agencies (HCD and SFM) to maintain the same note.

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9. CHAPTER 7
FIRE AND SMOKE PROTECTION FEATURES

HCD proposes to adopt Chapter 7 from the 2012 International Building Code into the 2013 California Building Code without amendment.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

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10. CHAPTER 8
INTERIOR FINISHES

HCD proposes to adopt Chapter 8 from the 2012 International Building Code into the 2013 California Building Code without amendment.

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11. CHAPTER 9
FIRE PROTECTION SYSTEMS

HCD proposes to adopt Chapter 9 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows. HCD proposes to not adopt Section 908.7 "Carbon monoxide alarms".

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 908 – EMERGENCY ALARM SYSTEMS

Section: 908.7 Carbon monoxide alarms.

Rationale: HCD proposes to not adopt the above referenced section into the 2013 California Building Code. HCD proposes the model code language in this section to be removed in its entirety and not printed in the 2013 California Building Code.

Section 908.7, new in the 2012 International Building Code, mandates the installation of carbon monoxide alarms in Group I and Group R occupancies. However, currently the measures for installation of CO alarms in new and existing buildings in Group R occupancies are combined in Section 420.4. HCD proposes to continue adoption of Carbon Monoxide Alarm regulations in Chapter 4; therefore, it is not necessary to adopt Section 908.7 and duplicate standards for new construction already mandated in Chapter 4. Additionally, HCD proposes to replace the model code language in this section with a reference to Section 420.6.

SECTION 909 – SMOKE CONTROL SYSTEMS

SECTION: 909.13.1 Materials.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code for adoption into the 2013 California Building Code with amendment. This California amendment refers the code user to the California Mechanical Code. Section 602.2.1.3 is proposed for deletion because it is part of the International Mechanical Code, which is not proposed for adoption in California. This California amendment is necessary due to the model code modification in Section 909.13.1.

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12. CHAPTER 10
MEANS OF EGRESS

HCD proposes to adopt Chapter 10 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

Note: The DSA is currently developing its proposals for modification and/or reorganization of Chapter 11B. Due to anticipated revisions to Chapter 11B by the DSA, HCD proposes to delete existing references to Chapter 11B in amended definitions and sections related to accessibility addressed in this regulatory action. HCD will continue to monitor and evaluate the DSA proposals, when available. Definitions and sections related to accessibility may need further revision as the rulemaking process continues.

SECTION 1003 – GENERAL MEANS OF EGRESS

Section: 1003.1 Applicability.
Section: 1003.2 Ceiling height. Exception 7.

Rationale: HCD proposes to bring forward the above referenced sections from the 2010 California Building Code for adoption into the 2013 California Building Code with amendments. The California amendments inform the code user of possible provisions in Chapter 11A, which may apply to persons with disabilities and that these may differ from the provisions in Chapter 10. References to Chapter 11B are proposed for elimination due to anticipated revisions by the DSA.

Section: 1003.3.4 Clear width.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment refers the code user to Chapter 11A. Protruding objects and hazards on an accessible route are covered in Sections 1116A, 1125A, 1139A.3.1, and 1143A.10 of Chapter 11A. References to Chapter 11B are proposed for elimination due to anticipated revisions by the DSA.

Section: 1003.5 Elevation change. Exceptions.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment directs the code user to accessibility provisions in the California Building Code Chapter 11A since Chapter 11 of the International Building Code is not proposed for adoption and will not be printed in the California Building Code. References to Chapter 11B are proposed for elimination due to anticipated revisions by the DSA.

SECTION 1007 – ACCESSIBLE MEANS OF EGRESS

Section: 1007.1 Accessible means of egress required.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment directs the code user to the accessibility provisions located in Chapter 11A since Chapter 11 of the International Building Code is not proposed for adoption and will not be printed in the California Building Code. The reference to Chapter 11B is proposed for elimination due to anticipated revisions by the DSA.

Section: 1007.2 Continuity and components. Items 1, 2, 3, 4, 5, 6 and 8

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment directs the code user to the accessibility provisions located in Chapter 11A. Additional modifications have been made to accommodate renumbering of sections in Chapter 10 of the 2012 International Building Code. References to Chapter 11B are being proposed for elimination due to anticipated revisions by the DSA. In addition, new language is added to item 3 (new in the model code), directing the code user to the accessibility provisions for stairways, located in Chapter 11A. There is no intended change in regulatory effect from the 2010 California Building Code.

Sections: 1007.3 Stairways.
1007.5 Platform lifts.

Rationale: HCD proposes to bring forward the above referenced sections from the 2010 California Building Code for adoption into the 2013 California Building Code with amendments. The California amendments direct the code user to the accessibility provisions located in Chapter 11A or 11B since Chapter 11 of the International Building Code is not proposed for adoption and will not be printed in the California Building Code.

HCD 1-AC banner has been added to Section 1007.3 to correct an oversight. References to Chapter 11B are proposed for elimination due to anticipated revisions by the DSA. There is no intended change in regulatory effect.

Section: 1007.9 Signage.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. HCD proposes to repeal the existing California amendment and modify the model code language with a new amendment. The proposed California amendment provides clarity to the code user. There is no intended change in regulatory effect from the 2010 California Building Code.

Currently, the California amendment to this section directs the code user to the signage provisions located in Chapter 11B, Section 1117B.5.1, and removes International Building Code references to ICC A117.1 (which is not adopted by California). This amendment has been carried forward from the 2001 California Building Code. At the same time, since 2006 there have been signage provisions in Chapter 11A, Section 1143A, applicable to buildings and applications under the authority of the Department of Housing and Community Development. HCD proposes to eliminate the reference to Chapter 11B, and include new language, clarifying that in addition to the

requirements of this section, signs shall comply with additional requirements in Chapter 11A.

Three state agencies, HCD, the Office of the State Fire Marshal (SFM) and the Division of the State Architect-Access Compliance (DSA-AC), have authority to propose amendments to this section. To avoid conflicts and redundant references, HCD will coordinate language with the SFM and DSA-AC.

SECTION 1008 – DOORS, GATES AND TURNSTILES

Section: 1008.1.1 Size of doors. Exceptions 5, 6, 7 and 8.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The existing California amendment directs the code user to the accessibility provisions in Chapter 11A, and removes International Building Code references to "Type A" and "Type B" units. California does not currently differentiate among types of dwelling units, although "COVERED DWELLING UNITS" are required to be adaptable and on an accessible route. The reference to Chapter 11B is proposed for elimination due to anticipated revisions by the DSA.

HCD proposes to delete the model code Exception 8, currently allowing minimum clear width of 31.75 inches for door openings required to be accessible within Type B units. As stated above, California does not currently differentiate among types of dwelling units. This exception also conflicts with the California accessibility provisions in Chapter 11A, which mandate the minimum clear width of door openings in all Covered Dwelling Units to 32 inches.

Section: 1008.1.4.1 Revolving doors.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment directs the code user to the accessibility provisions in Chapter 11A since Chapter 11 of the International Building Code is <u>not</u> proposed for adoption and will <u>not</u> be printed in the California Building Code. The reference to Chapter 11B is proposed for elimination due to anticipated revisions by the DSA.

Section: 1008.1.7 Thresholds. Exception.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment directs the code user to the accessibility provisions in Chapter 11A, and removes International Building Code references to "Type A" and "Type B" units. The reference to Chapter 11B is proposed for elimination due to anticipated revisions by the DSA.

California does not currently differentiate among types of dwelling units, although "COVERED DWELLING UNITS" are required to be adaptable and on an accessible route. There is no intended change in regulatory effect.

Section: 1008.1.9.1 Hardware.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment directs the code user to the accessibility provisions in Chapter 11A since Chapter 11 of the International Building Code is <u>not</u> proposed for adoption and will <u>not</u> be printed in the California Building Code. The reference to Chapter 11B is proposed for elimination due to anticipated revisions by the DSA.

SECTION 1009 – STAIRWAYS

Section: 1009.7.2 Riser height and tread depth. Exception 6. (Formerly Section 1009.4.2)

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code for adoption into the 2013 California Building Code, and repeal the existing California amendment to this section. The existing California amendment provides the code user with a reference to Section 3401.4.3, addressing the replacement, retention, and extension of original materials, and the use of original methods of construction in existing buildings.

The model code Section 1009.7.2, Exception 6, refers to Section 3404.1, which has general provisions for alterations of existing buildings (Exception 1 covers the replacement of existing stairways). Section 3404.1,

currently adopted by HCD, also contains a California amendment (Section 3404.1.1). Section 3404.1.1 contains provisions addressing replacement, retention, and extension of original materials, and the use of original methods of construction in existing buildings. Sections 3401.4.3 and 3404.1.1 are identical so there is no need for this California amendment to be carried forward. The reference to model code Section 3404.1 will lead to the same requirement. There is no intended change of regulatory effect.

SECTION 1010 – RAMPS

Section: 1010.1 Scope. Exceptions 1 and 2.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides references to the accessibility provisions in Chapter 11A instead of ICC A117.1, which does not include the same curb ramp provisions. References to Chapter 11B are proposed for elimination due to anticipated revisions by the DSA.

Section: 1010.7.5 Doorways. (Formerly Section 1010.6.4)
Section: 1010.10 Edge protection. Exception 1. (Formerly Section 1010.9)

Rationale: HCD proposes to bring forward the above referenced sections from the 2010 California Building Code for adoption into the 2013 California Building Code with amendments (also see Note for Chapter 10).

The Fair Housing Amendments Act references several versions of ANSI (ICC) A117.1 as a safe harbor standard for the design and construction of accessible housing. In some areas, California has accessibility requirements that meet or exceed those in ANSI (ICC) A117.1. The California amendments direct the code user to the appropriate chapters, which contain the maneuvering and door overlap dimensions, as well as the edge protection requirements, applicable in California. There is no intended change in regulatory effect.

SECTION 1011 – EXIT SIGNS

Section: 1011.4 Raised character and Braille exit signs. (Formerly Section 1011.3 Tactile exit signs.)

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides references to the accessibility provisions in Chapter 11A addressing signage requirements for accessible housing in California.

Three state agencies, HCD, the Office of the State Fire Marshal (SFM) and the Division of the State Architect-Access Compliance (DSA-AC), have authority to propose amendments to this section. During the last code cycle, HCD adopted the amendment proposed by the SFM, which replaced model code language in this section. HCD will coordinate language with the SFM and DSA-AC.

SECTION 1013 – GUARDS

Section: 1013.3 Height

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code for adoption into the 2013 California Building Code with amendment. HCD proposes to repeal Exception 1 in Section 1013.3 of the 2012 International Building Code (IBC). This exception is new to the 2012 International Building Code and permits a 36-inch guard for occupancies in Group R-3 and individual dwelling units within Group R-2 occupancies, not more than three stories above grade. HCD's proposed amendment continues the 42-inch guard height requirement for all residential occupancy groups in California, which has been in effect since the adoption of the 2007 California Building Code that became operational on January 1, 2008.

A 42-inch guard height is the standard guard height. This was true even under the previous model Uniform Building Code adopted by HCD. However, there were exceptions allowing a guardrail height of 36 inches for Group R-3, Group R-1, and Group U-1, when certain provisions were met.

Section 1013.2 in the 2006 International Building Code (IBC) contained a 42-inch guard height requirement without exception for Group R occupancies. During the 2006 Triennial Code Adoption Cycle, HCD adopted Section 1013.2 of the IBC into the 2007 California Building Code (CBC) without amendment, thus removing exemptions previously permitted under the Uniform Building Code and the California Building Code. The

2007 CBC applied to all residential occupancies under HCD's authority so the 42-inch guard height requirement applied to all hotels, motel, apartments as well as single family dwellings. During the same triennial rulemaking cycle, HCD adopted Section 1013.3 "Opening limitations" with amendment. The HCD amendment eliminated an 8-inch opening permitted in guards from the height range between 34 inches and 42 inches. Without this amendment, the CBC would have permitted 8-inch openings in guards between 34 inches and 42 inches above an adjacent walking surface. The rationale HCD used as the basis of this California amendment was contained in the November-December 2002 "Building Standards" publication of the International Conference of Building Officials (ICBO). The article was titled "Climbable Guards: The Special Enemy of the World's 2- and 3-year old Children." The article cites studies conducted with children of various ages negotiating various guard heights and types, and states that most two- and three-year old children have sufficient arm and shoulder strength to climb to a height of 34 inches and then fit through the 8-inch opening at the top of a guard. This allowance is no longer permitted in the International Building Code.

During the 2006 Triennial Code Adoption Cycle, HCD also took into account other considerations and literature prior to requiring all residential occupancies, including Group R-3 occupancies, to meet the 42-inch guard height requirement. One significant factor not specified in HCD's Initial Statement of Reasons (ISOR) was that HCD was approached by members of the state legislature. Prior to the code development cycle, multiple accidents occurred that were of statewide significance. They involved single family residences and several persons, at different residences and locations being severely injured after falling over 36-inch high guardrails. The legislators indicated that if HCD didn't address the issue through building standards, a 42-inch high guard would be mandated through legislation.

HCD reviewed additional information published through ICC and found that prior to the 2012 IBC, a 42-inch guard height was required for all residential occupancies because the center of gravity for 97 percent of the adult population in the U.S. is below that height, and therefore unlikely that an accidental fall could occur for leaning over the rail. Additionally, center of gravity can be measured (and calculated) at a height between 55 and 57 percent of the body height in a normal standing position, which is between 36 inches and 40 inches on average for an adult in the U.S. HCD believes that a 36-inch high guard, which is at or below the average center of gravity of an adult, is not adequate to prevent accidents. For these reasons, HCD proposes to maintain the 42-inch guard height requirement in all residential occupancies under HCD's authority.

Note: Body build, age and gender affect the location of the center of gravity of a human body. The first experiments locating the center of gravity were done between 1922 and 1942. At that time, the center of gravity for men was found to be 56.18 percent of the height in a normal standing position; the center of gravity for women was "set" at 55 percent. There are newer studies and experiments justifying that currently the center of gravity of a human body is about the same height, and even higher.

According to a survey conducted by the National Center for Health Statistics from year 1999 through 2002, the average height of American women is approximately 64 inches (5' 4"). According to the same survey, the average height of American men is approximately 70 inches (5' 10"). Based upon the above cited statistic, the average center of gravity for men in a normal standing position can be calculated and set at approximately 40 inches, measured from the ground. The center of gravity for women is approximately 36 inches.

SECTION 1022 – INTERIOR EXIT STAIRWAYS AND RAMPS

Section: 1022.9 Stairway identification signs. (Formerly Section 1022.8 Floor identification signs.)

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides a reference to the accessibility provisions in Chapter 11A. This amendment directs the code user to the appropriate section, which contains the signage requirements applicable in California.

HCD did not amend this section during the last code cycle, and adopted the model code section with the SFM amendment. HCD will coordinate language with the SFM and DSA-AC.

13. CHAPTER 11
ACCESSIBILITY

HCD proposes to not adopt Chapter 11 of the 2012 International Building Code and also proposes Chapter 11 not be printed in the 2013 California Building Code. HCD adopts accessibility regulations in Chapter 11A.

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14. CHAPTER 12
INTERIOR ENVIRONMENT

HCD proposes to adopt Chapter 12 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 1203 – VENTILATION

Section: 1203.1. General.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code for adoption into the 2013 California Building Code with amendment. HCD proposes to bring forward the existing California amendment in the first paragraph, providing a correct reference to the California Mechanical Code. HCD proposes to delete the second paragraph, which is new in the 2012 International Building Code. This amendment avoids conflict between the California Building Code, California Mechanical Code and California Energy Code.

ICC included in the 2012 International Building Code new language requiring a mechanical ventilation (in accordance with the International Mechanical Code) in dwelling units if the air infiltration rate is less than 5 air changes per hour when tested with a blower door in accordance with the International Energy Conservation Code. Neither the International Energy Conservation Code nor the International Mechanical Code is proposed for adoption in California. If the model code language is adopted, it will conflict with the requirements in the California Mechanical Code and the California Energy Code. Both codes no longer allow the use of natural ventilation only (with some exceptions in the California Mechanical Code) regardless of the air infiltration rate or the area of openings.

Section: 1203.2. Attic spaces.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code (IBC) into the 2013 California Building Code (CBC) with amendment. HCD proposes not to adopt the model code Exceptions 1 and 2, and further proposes to adopt new Exceptions 4 and 5, which apply to applications under the authority of HCD. The California amendment incorporates provisions for attic ventilation from the 2012 International Residential Code (IRC) proposed for adoption into the 2013 California Residential Code (CRC), Section R806.2. The amendment will provide clarity to the code user and consistency with the CRC.

There have been numerous changes to the attic ventilation requirements in the IBC and the IRC during the last two code adoption cycles. For purposes of consistency with the IRC, the language in the 2012 IBC was changed and currently is similar to the language in the 2009 IRC. However, the committee developing the 2012 IRC decided that the measures in the 2009 IRC were inadequate to achieve ventilation, in parts, or violated the applicable physics so the language was modified in the 2012 IRC. As a result, the 2012 IRC and the 2012 IBC contain different requirements for the minimum required area for attic ventilation. Currently, there are four proposals for the 2015 IBC related to Section 1203.2. The rationale for the proposed changes is “inadequate ventilation (in the 2012 IBC) and consistency with the IRC.”

HCD believes that there is no reason for different requirements to be applicable to the same buildings and applications regulated by HCD. In an effort to avoid confusion and to ease the transition from the current requirements to the future proposed changes, HCD is incorporating the language from the 2012 IRC, which seems to be more accurate and beneficial for use in both codes.

Section: 1203.2.1 Openings into attic.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides the code user with correct references to the California Mechanical Code. There is no intended change in regulatory effect.

Section: 1203.4.2.1 Bathrooms

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides the code user with the correct references to the California Mechanical Code and the California Green Building Standards Code (CALGreen.)

HCD is correcting an oversight discovered after the 2009 Triennial Code Adoption Cycle. The deletion of two words ("ventilation or") clarifies that Table 403.7 (Currently Table 4-4) contains the minimum exhaust rates only, not the ventilation rates. HCD also provides a clearer reference to the California Mechanical Code, clarifying that the additional provisions related to environmental air ducts can be found in Chapter 5. This change provides clarity and consistency for the code user, and has no intended change in regulatory effect.

HCD proposes to include a pointer to the related division in the 2013 California Green Building Standards Code (CALGreen). During this rulemaking, pointers to mandatory CALGreen Code requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen Code requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue the CALGreen Code, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

SECTION 1207 – SOUND TRANSMISSION

Sections:	**1207.1**	**Scope. (2012 IBC)**
	1207.2	**Airborne sound. (2012 IBC)**
	1207.2.1	**Masonry. (2012 IBC)**
	1207.3	**Structure borne sound. (2012 IBC)**

Rationale: HCD proposes to adopt the above referenced sections from the 2012 International Building Code into the 2013 California Building Code, and repeal the existing California amendments related to sound transmission (Sections 1207.1 through 1207.13).

Section 1207 provides measures for sound transmission. The existing California amendment implements Health and Safety Code Sections 17922.6 and 17922.7, which direct the Office of Noise Control in coordination with HCD to adopt regulations that establish noise insulation levels for hotels, motels, apartment houses, and dwellings other than detached single-family dwellings.

Pursuant to the sections cited above, requirements for noise insulation were included in the California Building Code. HCD has been carrying forward these requirements since 1974. However, most of the measures currently are covered by other regulations, federal, state and local agencies (EPA, Federal Aviation Administration, Federal Highway Administration, California Environmental Quality Act (CEQA), local general plans, local ordinances, etc.), and do not need to be repeated in the California Building Code. Other measures, including the referenced standards in the amendments, are outdated or superseded by more current standards, and need to be updated. The agency mandated to adopt and amend regulations related to noise insulation is the Office of Noise Control, but this office no longer exists.

There are mandatory provisions in the model code in regards to sound transmission, which overlap most of the provisions in the California amendment. HCD believes that there is no further necessity for the California amendment to be carried forward. Adoption of the model code and discontinuing the California amendment will provide clarity and convenience to the code users.

Notes:

1. The California Legislature enacted the "California Noise Control Act" (Health and Safety Code, Division 28); the California Office of Noise Control is responsible for enforcing the Noise Control Act. Section 46 states that the Office of Noise Control shall adopt guidelines for the preparation and content of noise elements as

required by Section 65302 of the Government Code. The Office shall participate with local California government agencies and the California Attorney General to enact ordinances governing noise abatement. The noise abatement laws vary by county and city; each county and city government is responsible for ensuring its local residents comply with the statewide "California Land Use Compatibility Noise Guidelines."

2. This statute is still active; however, there is not any evidence of the Office of Noise Control (or a successor agency) and its existence. This office was part of the State Department of Health Services, reorganized in 2007 (Senate Bill 162), but the Office of Noise Control disappeared prior 2000, which is earlier than this reorganization.

3. By law, the noise element shall be part of the General Plan. The “General Plan Guidelines”, prepared by the Office of Planning and Research and published in 2003, contains (in Appendix C) guidelines for the preparation of the noise element of the General Plan. There is an older version of “Guidelines for the Preparation and Content of the Noise Element of the General Plan” (published in 1998), prepared by the Office of Noise Control. This is the last document, prepared by the Office of noise Control, that could be found.

SECTION 1208 – INTERIOR SPACE DIMENSIONS

Section: 1208.4 Efficiency dwelling units.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The existing California amendment addresses requirements in Health and Safety Code Section 17958.1, which allows local jurisdictions to modify minimum room dimensions for efficiency dwelling units specified in the International Building Code. HCD proposes to repeal the reference to Health and Safety Code Section 17958.1, located at the bottom of Section 1208.4 (below Item 4). Health and Safety Code Section 17958.1 is referenced in the first sentence of Section 1208.4 so there is no necessity for this reference to be repeated. There is no intended change in regulatory effect.

SECTION 1210 – TOILET AND BATHROOM REQUIREMENTS

Section: 1210.1 Required fixtures.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code with amendment. The California amendment provides the code user with a correct reference to the California Plumbing Code since Chapter 29 of the International Building Code is <u>not</u> proposed for adoption in California. This amendment is necessary due to the new model code language in this section.

SECTION 1211 – GARAGE DOOR SPRINGS

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. This section addresses requirements in Health and Safety Code Section 17927, which directs HCD to adopt regulations for garage door springs used in garages accessory to hotels, motels, apartment houses, and dwellings that are reasonably necessary to prevent death, injury, or property damage from breaking garage door springs.

Section: 1211.1.1 Extension garage door springs.

Rationale: HCD proposes to amend the above referenced section. This new amendment provides correct references to the most current versions of ASTM A227 and ASTM A229. There is no intended change in regulatory effect.

Notes:

1. ASTM A227 – 71, has been superseded by a more current version, and is no longer published (ASTM makes historical standards available for information purposes only). The most current version of ASTM 227, published by ASTM, was adopted in 2006, and reapproved in 2011.

2. ASTM A229 – 71, has been superseded by a more current version, and is no longer published. The most current version of ASTM 229, published by ASTM, was adopted in 2012.

Section: **1211.6 Installation.**

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides the code user with the correct reference to Chapter 23 of the California Building Code. HCD proposes to delete the reference to Group II in Volume 3, Chapter 23, Division III, to avoid misleading the code user and causing confusion. This reference (for identification of species of framing members) is outdated and is no longer correct. Volume 3 of the Uniform Building Code (Material, Testing and Installation Standards), which is not adopted by HCD, was last published in 1997.

Currently, the minimum standards and quality of wood members are mandated in Chapter 23, Section 2303 of California Building Code, and HCD is not proposing any modification to this section. There is no intended change in regulatory effect.

SECTION 1212 - POLLUTANT CONTROL

Section: **1212.1 Finish material pollutant control.**

Rationale: HCD proposes to adopt the above referenced new California amendment into the 2013 California Building Code. During this rulemaking, pointers to mandatory CALGreen Code requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen Code requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue the CALGreen Code, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

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15. CHAPTER 13
ENERGY EFFICIENCY

HCD proposes to not adopt Chapter 13 from the 2012 International Building Code. HCD proposes Chapter 13 to be removed in its entirety and not printed in the 2013 California Building Code.

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16. CHAPTER 14
EXTERIOR WALLS

HCD proposes to adopt Chapter 14 from the 2012 International Building Code into the 2013 California Building Code without amendment. HCD proposes to not adopt Table 1405.3.1.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

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17. CHAPTER 15
ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

HCD proposes to adopt Chapter 15 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

SECTION 1503 – WEATHER PROTECTION

Sections: **1503.4 Roof drainage.**
1503.4.1 Secondary (emergency overflow) drains or scuppers.
1509.7.1 Wind resistance

Rationale: HCD proposes to adopt the above referenced Sections 1503.4 and 1503.4.1 from the 2012 International Building Code for adoption into the 2013 California Building Code with amendments. The California amendments provide the code user with the correct reference to Chapter 11 of the California Plumbing Code

since the International Plumbing Code is not proposed for adoption in California. The amendments of these sections are necessary because of the model code modifications. There is no intended change in regulatory effect.

HCD also proposes to adopt the above referenced Section 1509.7.1 with amendment. The proposed "Exception" clarifies that the effective wind area shall be based on the definition in ASCE 7, not area of a single frame. Solar panel racking systems and structural attachments can have much larger effective wind areas due to the wind pressure averaging effects over larger areas.

The proposed "Exception" was not part of the original rulemaking package submitted by HCD. This proposal was submitted by DSA and approved as submitted by the Structural Design/Lateral Forces Code Advisory Committee. The proposed language as written allows larger effective wind areas for the design of the racking system and connection to the structure.

HCD received a comment during the Code Advisory Committee meeting (Building, Fire and Other) and was directed to review this proposal and include it in HCD's rulemaking package, if needed. After an internal review, HCD decided to co-adopt the DSA proposal.

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18. CHAPTER 16
STRUCTURAL DESIGN

HCD proposes to adopt Chapter 16 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 1607 – LIVE LOADS

Section: 1607.8.2 Grab bars, shower seats and dressing room bench seats. (Formerly 1607.7.2)

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment, including a renumbering of the section for compliance with the model code renumbering of Chapter 16. The California amendment provides the code user with the correct reference to the accessibility provisions in Chapter 11A or 11B. The DSA is currently developing its proposals for modification and/or reorganization of Chapter 11B. Due to anticipated revisions to Chapter 11B by the DSA, HCD proposes to delete existing references to Chapter 11B in amended definitions and sections related to accessibility addressed in this regulatory action. HCD will continue to monitor and evaluate the DSA proposals, when available. Definitions and sections related to accessibility may need further revision as the rulemaking process continues.

SECTION 1613 – EARTHQUAKE LOADS

Sections: 1613.5, 1613.5.1 and 1613.5.2 Modifications to ASCE 7.

Rationale: HCD proposes to amend ASCE 7 by adopting the above referenced sections into the 2013 California Building Code. Ballasted PV systems are rooftop systems which rely on weight and friction to resist wind and seismic forces without having a positive attachment to the roof. These systems have emerged as an attractive technology especially for large flat rooftops as they reduce costs and limit unnecessary roof penetrations. Currently ASCE 7 is silent on this technology, does not contain a definition and does not make allowances for the approval of these systems. Current requirements do not adequately address this technology and require rooftop equipment to be anchored to the roof. While this requirement is appropriate for conventional roof top equipment such as air conditioning equipment, it prohibits ballasted systems from being unrestrained which conflicts with the intended design and installation of these systems. This proposed amendment provides a definition for ballasted photovoltaic systems and will allow local government to approve such systems if they are inclined to accept the weight and friction methodology.

Section 13.4.7 was not part of HCD's original proposal; however, this amendment, developed by the Structural Engineers Association of California – Solar Photovoltaic Systems Committee, was co-adopted by HCD and the California Building Standards Commission in response to a request from the Code Advisory Committee,

Structural Design/Lateral Forces, to provide building officials with additional criteria under which a ballasted solar system can be permitted. This modification is based on recently approved Item S72-12 at the ICC Code Development Hearing.

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19. CHAPTER 17
STRUCTURAL TESTS AND SPECIAL INSPECTIONS

HCD proposes to adopt Chapter 17 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 1707 – ALTERNATIVE TEST PROCEDURE

Section: 1707.1 General.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code with amendment. This California amendment provides the code user with the correct reference to Chapter 1, Division I, Section 1.8.7. Section 104.11, referenced in the model code, is not proposed for adoption by HCD.

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20. CHAPTER 18
SOILS AND FOUNDATIONS

HCD proposes to adopt Chapter 18 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 1803 GEOTECHNICAL INVESTIGATIONS

Sections: 1803.1.1 General and where required for applications listed in Section 1.8.2.1.1 regulated by the Department of Housing and Community Development.
1803.1.1.1 Preliminary soil report.
1803.1.1.2 Soil investigation by lot, necessity, preparation, and recommendations.
1803.1.1.3 Approval, building permit conditions, appeal.
1803.1.1.4 Liability. (new)
1803.1.1.5 Alternate procedures. (new)

Rationale: HCD proposes to bring forward the above referenced sections from the 2010 California Building Code for adoption into the 2013 California Building Code with amendments. The California amendments (also reproduced in the California Residential Code) implement the mandates contained in Health and Safety Code Sections 17953 through 17957, which require soil investigations for subdivisions.

The proposed amendments (Sections 1803.1.1.4 and 1803.1.1.5) include text reflected in Health and Safety Code Sections 17956 and 17957, addressing liability and authority for local use of alternate procedures, respectively, which were not referenced in the 2010 California Building Code.

The California amendments, which include punctuation and editorial modifications, represent no change from past model code amendments, and provide clarity and consistency to the code user for application and enforcement. The California amendments complete the soil report requirements and options as stated in existing statute. There is no intended change in regulatory effect.

SECTION 1804 – EXCAVATION, GRADING AND FILL

Section: **1804.3 Site grading.** (No change)
Section: **1804.3.1 Construction plans.**

Rationale: HCD proposes to adopt the above referenced new California amendments into the 2013 California Building Code. During this rulemaking, pointers to mandatory CALGreen Code requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen Code requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue the CALGreen Code, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

SECTION 1805 – DAMPPROOFING AND WATERPROOFING

Section: **1805.4.1 Floor base course (Exception).**

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code with amendment. The California amendment (Exception 2) clarifies that when a capillary break is installed in accordance with the California Green Building Standards Code (CALGreen), Chapter 4, Division 4.5, compliance with Section 1805.4.1 is not required.

SECTION 1810 – DEEP FOUNDATIONS

Section: **1810.3.10.4 Seismic reinforcement.**

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code with amendment. The California amendment provides the code user with the correct reference to Chapter 1, Division I, Section 1.8.7. Section 104.11 referenced in the model code is not proposed for adoption by HCD.

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21. CHAPTER 19
CONCRETE

HCD proposes to adopt Chapter 19 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 1905 – MODIFICATIONS TO ACI 318

Section 1905.1.9 ACI 318, Section D.3.3
Section 1905.1.10 ACI 318, Section D.4.2.2 (Not Adopted)

Rationale: HCD proposes to <u>not</u> adopt the above referenced model code sections and instead replace Section 1905.1.9 with a California amendment. The amendment, which was developed by DSA-CC and OSHPD, was co-adopted by HCD in response to a request from the Structural Design/Lateral Forces Code Advisory Committee to provide consistency with ACI 318-11. Although Chapter 35 of the 2012 IBC references ACI 318-11, the text in Chapter 19 of the 2012 IBC erroneously reflects modifications to ACI 318-08. The proposed amendment is necessary to keep the 2013 CBC consistent with ACI 318-11.

The changes are as follows:

- Sections D.3.3.4, D.3.3.5, D.3.3.6, D.3.3.7 and D.3.3.8, as added by 2012 IBC, Section 1905.1.9, are deleted because they are not consistent with ACI 318-11, Appendix D.
- In the exception to ACI 318-11, Section D.3.3.4.2, “need not satisfy” is changed to “shall be deemed to satisfy” to convey the message that it is not that the relevant provisions are not necessary, but that the design forces already incorporate the requirement.

- The second sentence of Section D.3.3.4.3 (d) is revised to make it consistent with the language used in Sections D.3.3.4.3 (b) and D.3.3.4.3 (c). The current sentence "The anchor design tensile strength shall satisfy the tensile strength requirements of D.4.1.1" is changed to "The anchor design tensile strength shall be calculated from Section D.3.3.4.4."
- Exceptions for anchors in wood sill plates and cold-formed steel tracks are revised for better clarity. In addition to the concrete breakout in shear, anchor pryout in shear is now also included in the exception. For in-plane shear in a sill plate or a cold-formed steel track, anchor pryout is not a concern.

SECTION 1907 – MINIMUM SLAB PROVISIONS

Section: 1907.1.1 Capillary break.

Rationale: HCD proposes to adopt the above referenced new California amendment into the 2013 California Building Code. During this rulemaking, pointers to mandatory CALGreen Code requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen Code requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue the CALGreen Code, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

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22. CHAPTER 20
ALUMINUM

HCD proposes to adopt Chapter 20 from the 2012 International Building Code into the 2013 California Building Code without amendment.

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23. CHAPTER 21
MASONRY

HCD proposes to adopt Chapter 21 from the 2012 International Building Code into the 2013 California Building Code without new amendment.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

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24. CHAPTER 22
STEEL

HCD proposes to adopt Chapter 22 from the 2012 International Building Code into the 2013 California Building Code without amendment.

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25. CHAPTER 23
WOOD

HCD proposes to adopt Chapter 23 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 2304 – GENERAL CONSTRUCTION REQUIREMENTS

Section: 2304.3.1.1 Rodent proofing.

Rationale: HCD proposes to adopt the above referenced new California amendment into the 2013 California Building Code. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. This pointer may also serve as a potential location for the complete CALGreen Code requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue the CALGreen Code, and incorporate its requirements into other parts of the California Building Standards Code. This amendment is a pointer related to a code section in the CALGreen Code. There is no intended change in regulatory effect.

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26. CHAPTER 24
GLASS AND GLAZING

HCD proposes to adopt Chapter 24 from the 2012 International Building Code into the 2013 California Building Code without amendment.

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27. CHAPTER 25
GYPSUM BOARD AND PLASTER

HCD proposes to adopt Chapter 25 from the 2012 International Building Code into the 2013 California Building Code without amendment.

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28. CHAPTER 26
PLASTIC

HCD proposes to adopt Chapter 26 from the 2012 International Building Code into the 2013 California Building Code without amendment.

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29. CHAPTER 27
ELECTRICAL

HCD proposes to <u>not</u> adopt Chapter 27 from the 2012 International Building Code. HCD adopts the National Electrical Code by reference; therefore, adoption of the International Building Code standards would create duplicate requirements.

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30. CHAPTER 28
MECHANICAL SYSTEMS

HCD proposes to <u>not</u> adopt Chapter 28 from the 2012 International Building Code. HCD adopts the Uniform Mechanical Code by reference; therefore, adoption of the International Building Code standards would create duplicate requirements.

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31. CHAPTER 29
PLUMBING SYSTEMS

HCD proposes to <u>not</u> adopt Chapter 29 from the 2012 International Building Code. HCD adopts the Uniform Plumbing Code by reference; therefore, adoption of the International Building Code standards would create duplicate requirements.

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32. CHAPTER 30
ELEVATORS AND CONVEYING SYSTEMS

HCD proposes to adopt Chapter 30, Sections 3001.1 and 3001.3 only, from the 2012 International Building Code into the 2013 California Building Code. HCD also proposes to repeal an existing California amendment in Section 3001.1 as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

SECTION 3001 – GENERAL

Section: 3001.1 Scope.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code, and repeal the existing California amendment in this section. The existing amendment, carried forward from the 2001 California Building Code, was necessary to provide an accurate reference for the code user to the accessibility provisions adopted in California and located in Chapter 11A. HCD proposes to repeal this amendment because the International Building Code has language (currently Section 3001.3) clarifying accessibility requirements for elevators and platform (wheelchair) lifts, and there is no need for the same measures to be repeated in two sections. There is no intended change in regulatory effect.

Section: 3001.3 Accessibility.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code with amendment. The existing California amendment provides references to the accessibility provisions located in Chapter 11A. The model code reference to Sections 1107 and 1109.7 is removed since Chapter 11 of the International Building Code is not proposed for adoption and will not be printed in the California Building Code. The reference to Chapter 11B is proposed for elimination due to anticipated revisions by the DSA.

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33. CHAPTER 31
SPECIAL CONSTRUCTION

HCD proposes to adopt Chapter 31 from the 2012 International Building Code into the 2013 California Building Code without amendment. HCD proposes to not adopt Section 3109.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

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34. CHAPTER 32
ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

HCD proposes to adopt Chapter 32 from the 2012 International Building Code into the 2013 California Building Code without amendment.

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35. CHAPTER 33
SAFEGUARDS DURING CONSTRUCTION

HCD proposes to adopt Chapter 33 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows. HCD proposes to not adopt Sections 3309, 3310, 3311, 3312 and 3313.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code without change except for nonsubstantive editorial corrections.)

HCD adopted Chapter 33 in the 2001 California Building Code without California amendments. At that time, Chapter 33 (Site Work, Demolition and Construction), providing measures for safety during construction, included three sections - Excavation and fills, Preparation of building site, Protection of pedestrians during construction.

During the 2006 Triennial Code Adoption Cycle, when California adopted the new model code (International Building Code), HCD adopted only Section 3306.2 "Walkways" with California amendment, related to accessibility. The same section was adopted in the 2010 California Building Code.

Currently, Chapter 33 governs safety during construction and the protection of adjacent public and private properties. HCD proposes to adopt Sections 3301, 3302, 3303, 3304, 3305, 3306, 3307 and 3308, which contain all the measures previously adopted by HCD. (Some measures are mandated in other parts of the California Building Code or other California codes). Adoption of these sections provides clarity to the code user without creating a fiscal impact to industry.

SECTION 3304 – SITE WORK

Section: 3304.1.5 Storm water drainage and retention during construction.

Rationale: HCD proposes to adopt the above referenced new California amendment into the 2013 California Building Code. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. This pointer may also serve as a potential location for the complete CALGreen Code requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue the CALGreen Code, and incorporate its requirements into other parts of the California Building Standards Code. This amendment is a pointer related to a code section in the CALGreen Code. There is no intended change in regulatory effect.

SECTION 3306 – PROTECTION OF PEDESTRIANS

Section: 3306.2 Walkways.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides an accurate reference for the code user to the accessibility provisions located in Chapter 11A. References to Chapter 11B are proposed for elimination due to anticipated revisions by the DSA.

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36. CHAPTER 34
EXISTING STRUCTURES

HCD proposes to adopt Chapter 34 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows. HCD proposes to not adopt Sections 3401.6, 3403.5, 3404.6, 3405.2, 3405.2.1, 3405.2.2, 3405.2.3 3405.3, 3405.3.1, 3406, 3407, 3409, 3411 and 3412.
The 2009 International Building Code divided former Section 3403 "Additions, Alterations or Repairs" into three separate sections, and also included a new Section 3401.4 "Building Materials". Due to these changes, during the 2009 Triennial Code Adoption Cycle, some former HCD amendments were moved to different locations, and, in cases, repeated for purposes of clarity. Because of the new format of the model code, other measures, previously adopted by HCD, were unintentionally not included in the Matrix Adoption Table. HCD proposes to correct the oversight. Sections 3403.2, 3403.4, 3404.2, 3404.4 and 3404.5, omitted during the 2009 Triennial Code Adoption Cycle, are proposed for adoption and will be shown in the Matrix Adoption Table.

HCD also proposes to adopt sections not previously adopted. (Newly adopted model code sections and new California amendments are discussed below and included in the Matrix Adoption Table). These sections are beneficial for use in California, provide clarity and additional guidance to the code users, do not conflict with the state law and regulations, and there is no cost associated with the adoption of these sections.

SECTION 3401 – GENERAL

Section: 3401.1 Scope.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code with amendment. The existing California amendment (Exception 2) provides a reference to Title 25, which includes provisions for the use and maintenance of permanent structures in mobilehome parks and special occupancy parks. The proposed editorial correction provides clarity to the code user. Exception 3 is related to limited-density owner-built rural dwellings, which are exempt from the requirements of this chapter.

HCD proposes to add new language providing a reference to the California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1. Title 25 contains provisions for maintenance, alteration, repair, addition, or change of occupancy to existing buildings and accessory structures under the authority of HCD. The new California amendment modifies the scope, clarifying that in addition to the requirements of Chapter 34, existing buildings (and accessory structures) with Group R occupancies shall comply with the applicable sections of Title 25. There is no intended change in regulatory effect.

Section: 3401.2 Maintenance.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code. This section is beneficial for use in California, does not conflict with state law (Health and Safety Code Sections 17912, 17922 (d) and 17958.9) and provides clarity to the code user. There is no cost associated with this adoption.

Section: 3401.3 Compliance.

Rationale: HCD proposes to bring forward the above referenced section from the 2010 California Building Code for adoption into the 2013 California Building Code with amendment. The California amendment provides the code user with correct references to the California Fire Code, California Plumbing Code, California Mechanical Code, California Residential Code and California Electrical Code, and eliminates references to the International Energy Conservation Code, International Fuel Gas Code and International Private Sewage Disposal Code, which are <u>not</u> currently proposed for adoption by HCD. HCD also proposes to repeal the reference to Title 25 and Sections 3403.1.4.3, 3403.1.1 and 3404.1.1. (See rationale for Section 3401.1 for more details.)

Section: 3401.4.1 Existing materials.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code with amendment. The California amendment addresses alterations or repairs to existing structures, and provides clarity to the code users. State law allows the replacement, retention, and extension of original materials, and the use of original methods of construction, unless the building is not or does not become substandard. The California amendment, brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code, has been repeated in Section 3404 “Alterations” and Section 3405 “Repairs” for clarity. There is no intended change in regulatory effect.

Section: 3401.4.2 New and replacement materials.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code. The section does not conflict with state law and provides clarity and guidance to the code user. There is no cost associated with this adoption.

Section: 3401.4.3 Existing seismic force-resisting systems.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code. The measures contained in this section are part of former Sections 3403.4.1 and 3404.4.1 from the 2010 California Building Code.

Currently HCD adopts only Section 3401.4.3 (*Replacement, retention and extension of original materials*), which is a California amendment. This amendment addresses existing materials and clarifies that State law allows the replacement, retention and extension of original materials, and the use of original methods of construction. However, HCD proposes to adopt the model code Section 3401.4 and relocate the existing amendment to Section 3401.4.1 (*Existing materials*), which is more appropriate. There is no intended change in regulatory effect.

Section: 3401.5 Dangerous conditions. (Formerly Section 3405.1.1)

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code. This section, currently Section 3405.1.1 in the 2010 California Building Code, was relocated and renumbered in the 2012 International Building Code. There is no intended change in regulatory effect.

SECTION 3403 – ADDITIONS

Section: 3403.1.1 Replacement, retention and extension of original materials.

Rationale: HCD proposes to repeal the above referenced California amendment (Section 3403.1.1). This amendment addresses alterations or repairs to existing structures. State law allows the replacement, retention, and extension of original materials, and the use of original methods of construction. However, the state law allows the replacement, retention, and extension of original materials, and the use of original methods of construction for alterations and repairs only. The existing California amendment to this section conflicts with Health and Safety Code Section 17922 (d), which specifies that building additions or alterations that increase the area, volume, or size of an existing building shall comply with the requirements for new buildings or structures.

Section: 3403.3 Existing structural elements carrying gravity load.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code. This section was not adopted into the 2010 California Building Code. This section is beneficial for use in California, does not conflict with the state law (Health and Safety Code Sections 17912, 17922 (d) and 17958.8), provides clarity to the code user and works in conjunction with Section 3403.4, which is proposed for adoption by HCD. There is no cost associated with this adoption.

Section: 3403.4 Existing structural elements carrying lateral load.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code. This section was adopted by HCD into the 2006 California Building Code, but omitted during the 2009 Triennial Code Adoption Cycle. This section is beneficial for use in California, does not conflict with the state law (Health and Safety Code Section 17912, 17922(d) and 17958.8), provides clarity to the code user and works in conjunction with Section 3403.3, which is proposed for adoption by HCD. There is no cost associated with this adoption.

SECTION 3404 – ALTERATIONS

Sections: 3404.1 General.
3404.1.1 Replacement, retention and extension of original materials.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code with amendment. The existing California amendment (Section 3404.1.1), brought forward from 2010 California Building Code for adoption into the 2013 California Building Code, clarifies that the use of original materials and methods of construction in alterations are permitted. (See Rationale for Section 3401.4.1 for more details).

Section: 3404.2 Flood hazard areas.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code. This section was adopted by HCD into the 2006 California Building Code, but omitted during the 2009 Triennial Code Adoption Cycle.

Section: 3404.3 Existing structural elements carrying gravity load.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code, which was not adopted into the 2010 California Building Code. This section is beneficial for use in California, does not conflict with the state law (Health and Safety Code Sections 17912, 17922 (d) and 17958.8), provides clarity to the code user and works in conjunction with Section 3404.4, which is proposed for adoption by HCD. There is no cost associated with this adoption.

State Housing Law allows the replacement, retention, and extension of original materials, and the use of original methods of construction, unless the building is not or does not become substandard. The Health and Safety Code defines different types of substandard buildings; however, the Health and Safety Code does not provide further guidance when a building can be deemed substandard. Proposed Sections 3404.3 and 3404.4 provide this additional guidance for the code user in regard to the structural integrity of the building, and clarify when the requirements for new structures shall be triggered.

Sections: 3404.4 Existing structural elements carrying lateral load.
3404.5 Voluntary seismic improvements.

Rationale: HCD proposes to adopt the above referenced sections from the 2012 International Building Code into the 2013 California Building Code. These sections were adopted by HCD into the 2007 California Building Code, but omitted during the 2009 Triennial Code Adoption Cycle. These sections are beneficial for use in California, do not conflict with state law (Health and Safety Code Sections 17912, 17922 (d) and 17958.8), provide clarity to the code user and work in conjunction with Section 3404.3, which is proposed for adoption by HCD. There is no cost associated with this adoption.

State Housing Law allows the replacement, retention, and extension of original materials, and the use of original methods of construction, unless the building is not or does not become substandard. The Health and Safety Code defines different types of substandard buildings; however, the Health and Safety Code does not provide further guidance when a building can be deemed substandard. Proposed Sections 3404.3 and 3404.4 provide this additional guidance for the code user in regard to the structural integrity of the building, and clarify when the requirements for new structures shall be triggered.

SECTION 3405 – REPAIRS

Sections: 3405.1 General.
3405.1.1 Replacement, retention and extension of original materials. (Formerly Section 3405.1.2)

Rationale: HCD proposes to adopt the above referenced sections from the 2012 International Building Code into the 2013 California Building Code with amendment. The existing California amendment to Section 3405.1.1 clarifies that the use of original materials and methods of construction in repairs are permitted. (See Rationale for Section 3401.4 for more details). The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code with modification to align with the changes in the model code (Note: Section 3405.1.1 was eliminated from the 2012 International Building Code). There is no intended change in regulatory effect.

Sections: 3405.2 Substantial structural damage to vertical elements of the lateral force- resisting system.
3405.3 Substantial structural damage to gravity load-carrying components.

Rationale: HCD proposes to <u>not</u> adopt the above referenced sections due to a conflict with the state law. These sections conflict with Health and Safety Code Sections 17912, 17922 (d) and 17958.8, which allow the replacement, retention, and extension of original materials and the use of original methods of construction.

Sections: **3405.4 Less than substantial structural damage.**
3405.7 Flood hazard areas.

Rationale: HCD proposes to adopt the above referenced sections from the 2012 International Building Code into the 2013 California Building Code, not previously adopted by HCD. These sections are beneficial for use in California, do not conflict with the state law (Health and Safety Code Sections 17912, 17922 (d) and 17958.8), and provide clarity and guidance for the code user. There is no cost associated with this adoption.

SECTION 3408 – CHANGE OF OCCUPANCY

HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code. This section was adopted by HCD in the 2001 California Building Code, but omitted in the 2007 and 2010 California Building Codes. HCD believes that this section is beneficial for use in California, does not conflict with the state law (Health and Safety Code Section 17912) and provides clarity to the industry and the enforcing agencies.

SECTION 3410 – MOVED STRUCTURES

Section: 3410.1 Conformance.

Rationale: HCD proposes to adopt the above referenced section from the 2012 International Building Code into the 2013 California Building Code with amendment. State law allows the replacement, retention, and extension of original materials, and the use of original methods of construction for moved structures. The California amendment implements state law by allowing moved structures, which are not substandard, to be maintained. This amendment also clarifies that the foundation system of a moved structure must meet the same requirements applicable to a new structure. This California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 3411 – ACCESSIBILITY FOR EXISTING BUILDINGS

Rationale: HCD proposes to <u>not</u> adopt Chapter 11 "Accessibility" and also proposes this section <u>not</u> be printed in the California Building Code. HCD adopts accessibility regulations in Chapter 11A.

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37. CHAPTER 35
REFERENCED STANDARDS

HCD proposes to adopt Chapter 35 from the 2012 International Building Code into the 2013 California Building Code with amendment as follows. HCD proposes to continue adoption of California amendments, removing references to codes that California does <u>not</u> adopt, such as the International Mechanical Code and the International Plumbing Code, and other codes published by the International Code Council.

HCD proposes to remove reference to ICC/ANSI A117.1. The California Building Code, Chapter 11A, includes accessibility provisions. In certain cases, California accessibility requirements exceed those in ICC/ANSI A117.1.

HCD also proposes to add two ASTM standards in the table – A227 and A229. Those two standards are used in Section 1211.1.1.

ACI 318-08 is proposed for deletion because this standard is not used or proposed to be used in the 2013 CBC. (See rational for Sections 1905.1.9 and 1905.1.10 for more details.)

In the 2010 California Building Code, HCD included NFPA and UL standards (NFPA 720, UL 2034 and UL 2075) related to carbon monoxide devices to support code requirements added in Section 420.4. Measures for CO devices were included in the model code, 2012 International Building Code Section 908.7, as well as standards (NFPA 720 and UL 2034) related to CO devices in Chapter 35. HCD is proposing to <u>not</u> adopt Section 908.7; however, the newly included model code standards in Chapter 35 are applicable to the California amendment in Section 420.4, which is renumbered to Section 420.6. Therefore, there is no necessity for the California amendments in Chapter 35 to be carried forward and duplicate the model code language.

HCD proposes to repeal the California amendment, and to adopt the model code references to NFPA 720 and UL 2034 with modifications, correcting the date for the most current version of NFPA 720, and updating the

referenced section numbers for both standards. HCD also proposes to continue adoption of the California amendment referencing UL 2075 with modification, correcting the referenced section number, Section 420.6 instead of Section 420.4. There is no intended change in regulatory effect.

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38. APPENDIX A
EMPLOYEE QUALIFICATIONS

HCD proposes to not adopt Appendix A from the 2012 International Building Code.

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39. APPENDIX B
BOARD OF APPEALS

HCD proposes to not adopt Appendix B from the 2012 International Building Code.

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40. APPENDIX C
GROUP U – AGRICULTURAL BUILDINGS

HCD proposes to not adopt Appendix C from the 2012 International Building Code.

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41. APPENDIX D
FIRE DISTRICTS

HCD proposes to not adopt Appendix D from the 2012 International Building Code.

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42. APPENDIX E
SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS

HCD proposes to not adopt Appendix E from the 2012 International Building Code.

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43. APPENDIX F
RODENTPROOFING

HCD proposes to not adopt Appendix F from the 2012 International Building Code.

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44. APPENDIX G
FLOOD-RESISTANT CONSTRUCTION

HCD proposes to not adopt Appendix G from the 2012 International Building Code.

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45. APPENDIX H
SIGNS

HCD proposes to not adopt Appendix H from the 2012 International Building Code.

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46. APPENDIX I
PATIO COVERS

HCD proposes to adopt Appendix I from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

SECTION I102 – DEFINITIONS

Section: I102.1 General.

Rationale: HCD proposes to adopt the above referenced section with amendment to provide the code user with the correct reference to the California Building Code. The California amendment is necessary due to changes to the model code. There is no intended change in regulatory effect.

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47. APPENDIX J
GRADING

HCD proposes to adopt Appendix J from the 2012 International Building Code into the 2013 California Building Code with amendment as follows.

SECTION J102 – DEFINITIONS

Section: J102.1 General.

Rationale: HCD proposes to adopt the above referenced section with amendment to provide the code user with the correct reference to the California Building Code. The California amendment is necessary due to changes to the model code. There is no intended change in regulatory effect.

SECTION J105 – INSPECTIONS

Section: J105.1 General.

Rationale: HCD proposes to adopt the above referenced section with amendment, correcting a mistake in the model code. The correct section, providing measures for inspections, is Section 110, not Section 109 (as shown in the model code). There is no intended change in regulatory effect.

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48. APPENDIX K
ADMINISTRATIVE PROVISIONS

HCD proposes to <u>not</u> adopt Appendix K from the 2012 International Building Code. This new appendix contains only administrative provisions that are intended to be used by jurisdictions to implement and enforce NFPA 70, the National Electrical Code.

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49. APPENDIX L
EARTHQUAKE RECORDING INSTRUMENTATION

HCD proposes to <u>not</u> adopt Appendix L from the 2012 International Building Code.

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50. APPENDIX M
TSUNAMI-GENERATED FLOOD HAZARD

HCD proposes to <u>not</u> adopt Appendix M from the 2012 International Building Code.

PART 2

NOTE: *The language in Part 2 is brought forward from the previous code adoption cycle without change, except for nonsubstantive editorial corrections, and is displayed for context and for the convenience of the code users.*

51. CHAPTER 1
SCOPE AND ADMINISTRATION
DIVISION I
CALIFORNIA ADMINISTRATION

HCD proposes to bring forward existing California amendments contained in Chapter 1, Scope and Administration, Division I, California Administration, from the 2010 California Building Code for adoption into the 2013 California Building Code with editorial corrections as follows.

SECTION 1.1 – GENERAL

1.1.2 Purpose.
1.1.3 Scope.
1.1.3.1 Nonstate-regulated buildings, structures, and applications.
1.1.3.2 State-Regulated buildings, structures, and applications.
1.1.4 Appendices.
1.1.5 Referenced codes.
1.1.6 Nonbuilding standards, orders and regulations.
1.1.7 Order of precedence and use.
1.1.7.1 Differences.
1.1.7.2 Specific provisions.
1.1.7.3 Conflicts.
1.1.9 Effective date of this code.
1.1.10 Availability of codes.
1.1.11 Format.
1.1.12 Validity.

Rationale: HCD proposes to continue adoption of the above referenced sections with nonsubstantive editorial corrections. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. (See Part 1 for the adoption and modification of Section 1.1.1). Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the California Residential Code, California Mechanical Code and California Plumbing Code. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and provide clarity and consistency to the code user and enforcing agencies. There is no intended change in regulatory effect.

Sections: **1.1.8 City, county or city and county amendments, additions or deletions.**
1.1.8.1 Findings and filings.

Rationale: HCD proposes to continue adoption of the above referenced sections with nonsubstantive editorial corrections for clarity and consistency with other parts of the California Building Standards Code. There is no intended change in regulatory effect.

SECTION 1.8 – DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

1.8.1 Purpose.
1.8.2.1 General.
1.8.3.2 Laws, rules and regulations.
1.8.3.2.1 State Housing Law.
1.8.3.2.2 Mobilehome Parks Act.
1.8.3.2.3 Special Occupancy Parks Act.
1.8.3.2.4 Employee Housing Act.
1.8.4.3 Plan review and time limitations.
1.8.6.2 Findings, filings, and rejections of local modifications.
1.8.7.3 Department of Housing and Community Development.

1.8.8.1 General.
1.8.9.1 Authority to enforce.
1.8.9.2 Actions and proceedings.
1.8.10.1 Existing structures
1.8.10.2 Moved structures.

Rationale: HCD proposes to continue adoption of the above referenced sections with nonsubstantive editorial corrections. Chapter 1, Division I, contains general requirements specific to California by virtue of different authorities granted each state agency to promulgate regulations for residential construction. Section 1.8 *et seq.*, provides specific requirements and the authority vested to HCD by statute, and will promote uniform enforcement throughout the state and ensure local enforcement agencies are provided accurate statutory information regarding the enforcement of building standards in California.

SECTION 1.8.2 – AUTHORITY AND ABBREVIATIONS

Section: 1.8.2.1.1 Housing construction.

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial corrections for clarity and consistency with other sections of this chapter, including deleting the references to the Matrix Adoption Table (non-regulatory text) for conformity as directed by the CBSC. There is no intended change in regulatory effect.

Section: 1.8.2.1.2 Housing accessibility.

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial corrections, including deleting the references to the Matrix Adoption Table (non-regulatory text) for conformity as directed by the CBSC. Additionally, the terms defined in Chapter 11A are capitalized for clarity and consistency with other parts of the California Building Standards Code. There is no intended change in regulatory effect.

Section: 1.8.2.1.3 Permanent buildings in mobilehome parks and special occupancy parks.

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial corrections for clarity and consistency with other sections of this chapter, including deleting the references to the Matrix Adoption Table (non-regulatory text) for conformity as directed by the CBSC. There is no intended change in regulatory effect.

SECTION 1.8.3 – LOCAL ENFORCING AGENCY

Section: 1.8.3.1 Duties and powers.

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial corrections for clarity and consistency with other sections of this chapter. There is no intended change in regulatory effect.

Section: 1.8.3.2.5 Factory-Built Housing Law.

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial corrections to correct an oversight carried forward from the 2007 California Building Code. The current section number (Section 108.3.2.5) has been deleted. The correct section is Section 1.8.3.2.5. There is no intended change in regulatory effect.

SECTION 1.8.4 – PERMITS, FEES, APPLICATIONS AND INSPECTIONS

Section: 1.8.4.1 Permits. Exception 1.

Rationale: HCD proposes to continue adoption of the above referenced section with editorial corrections to clarify the reference to Chapter 1, Division II, Scope and Administration. There is no intended change in regulatory effect.

Section: **1.8.4.2 Fees**
Section: **1.8.4.3.1 Retention of plans.**

Rationale: HCD proposes to continue adoption of the above referenced sections with nonsubstantive editorial corrections for clarity and consistency with other sections of this chapter. There is no intended change in regulatory effect

Section: **1.8.4.4 Inspections.**

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial corrections to clarify the reference to Chapter 1, Division II, Scope and Administration. In addition, the modification clarifies that the required inspections are listed in Chapter 1, Division II, Scope and Administration, Section 110.3. There is no intended change in regulatory effect.

SECTION 1.8.5 – RIGHT OF ENTRY FOR ENFORCEMENT

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial corrections. The hyphens are deleted in the term "right of entry" for consistency with other sections in this code and statute. There is no intended change in regulatory effect.

SECTION 1.8.6 – LOCAL MODIFICATION BY ORDINANCE OR REGULATION

Section: **1.8.6.1 General.**

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial corrections for clarity and consistency with other sections of this chapter. There is no intended change in regulatory effect.

SECTION 1.8.7 – ALTERNATE MATERIALS, DESIGNS, TESTS AND METHODS OF CONSTRUCTION

Section: **1.8.7.1 General.**
Section: **1.8.7.2 Local building departments.**

Rationale: HCD proposes to continue adoption of the above referenced sections with nonsubstantive editorial corrections for clarity and consistency with other sections of this chapter. There is no intended change in regulatory effect.

Section: **1.8.7.2.1 Approval of alternates.**

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial corrections. The terms defined in Chapter 11A are capitalized for clarity and consistency with other parts of the California Building Standards Code. There is no intended change in regulatory effect.

Section: **1.8.7.3 Department of Housing and Community Development.**

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial correction for clarity and consistency with the California Building Standards Code. There is no intended change in regulatory effect.

SECTION 1.8.8 – APPEALS BOARD

Section: **1.8.8.2 Definitions.**
Section: **1.8.8.3 Appeals.**

Rationale: HCD proposes to continue adoption of the above referenced sections with nonsubstantive editorial corrections for clarity and consistency with other sections of this chapter. There is no intended change in regulatory effect.

52. CHAPTER 2
DEFINITIONS

HCD proposes to bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code with nonsubstantive editorial corrections as follows.

SECTION 202 – DEFINITIONS

ACCESSIBLE ROUTE.
Rationale: HCD proposes to repeal the above referenced model code definition, and to continue adoption of the California amendment, which refers the code user to the definition located in Chapter 11A. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and provides clarity and consistency. There is no intended change in regulatory effect.

ACCESSIBLE UNIT.
Rationale: HCD proposes to <u>not</u> adopt the above referenced 2012 International Building Code definition. The term "ACCESSIBLE UNIT" is not used in HCD's accessibility standards. There is no need for an unused term to be defined.

ADAPTABLE DWELLING UNIT.
Rationale: HCD proposes to continue adoption of the above referenced definition, which refers the code user to the definition located in Chapter 11A. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

APPROVED AGENCY. (Formerly in Section 1702.1)
Rationale: HCD proposes to continue adoption of the above referenced definition as amended. The California amendment refers the code user to the definitions for "Listing agency" and "Testing agency", proposed in Chapter 2. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect. However, the California amendment, formerly in Chapter 17, has been relocated and nonsubstantive editorial corrections are made to align with the new format of the model code.

APPROVED LISTING AGENCY.
APPROVED TESTING AGENCY.
Rationale: HCD proposes to continue adoption of the above referenced definitions brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. The California amendments provide consistency with applicable state law and direct the code user to applications under the authority of HCD.

ASSISTIVE DEVICE.
BATHROOM.
Rationale: HCD proposes to continue adoption of the above referenced definitions, which refer the code user to the definitions located in Chapter 11A. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

BUILDING.
Rationale: HCD proposes to continue adoption of the above referenced definition with amendment. The California amendment adds exceptions and clarifies the language in the 2012 International Building Code definition, providing consistency with applicable state law to direct the code user to applications under the authority of HCD. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

BUILDING, EXISTING.
Rationale: HCD proposes to continue adoption of the above referenced definition without change. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code.

BUILDING ENTRANCE ON AN ACCESSIBLE ROUTE.
Rationale: HCD proposes to continue adoption of the above referenced definition, which refers the code user to the definition located in Chapter 11A.

COMMON USE.
Rationale: HCD proposes to not adopt the above referenced 2012 International Building Code definition, and continue adoption of "COMMON USE AREA" (see Part 1 of this document), which includes a reference to Chapter 11A for the adopted definition. The term "COMMON USE" is not used in HCD's proposed accessibility standards.

COVERED MULTIFAMILY DWELLINGS.
Rationale: HCD proposes to continue adoption of the above referenced definition, which refers the code user to the definition located in Chapter 11A. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

DEPARTMENT.
Rationale: HCD proposes to continue adoption of the above referenced definition. The term is used in building standards proposed and adopted by HCD. There is no intended change in regulatory effect.

DIRECTIONAL SIGN.
Rationale: HCD proposes to continue adoption of the above referenced definition, which clarifies the meaning of the term as well as directs the code user to applications under the authority of HCD.

EFFICIENCY DWELLING UNIT.
Rationale: HCD proposes to continue adoption of the above referenced definition, which provides a definition and reference to statute.

ELEVATOR, PASSENGER.
Rationale: HCD proposes to continue adoption of the above referenced definition, which refers the code user to the HCD definition located under "PASSENGER ELEVATOR".

ENFORCEMENT.
Rationale: HCD proposes to continue adoption of the above referenced definition, which restates statutory language to provide clarity for the code user.

ENFORCING AGENCY.
Rationale: HCD proposes to continue adoption of the above referenced, which provides clarification and directs the code user to applications under the authority of HCD.

FAMILY.
GRADE (Adjacent Ground Elevation).
Rationale: HCD proposes to continue adoption of the above referenced definitions with nonsubstantive editorial corrections for consistency with the format of the model code and the California definitions in the California Building Code. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

GROUND FLOOR.
Rationale: HCD proposes to continue adoption of the above referenced definition, which refers the code user to the definitions located in Chapter 11A. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

GUARD OR GUARDRAIL.
Rationale: HCD proposes to continue adoption of the above referenced definition. This definition informs the code user that the term "GUARDRAIL" is synonymous with the 2012 International Building Code definition for "GUARD".

HOTEL OR MOTEL.
Rationale: HCD proposes to continue adoption of the above referenced definition with nonsubstantive editorial corrections for consistency with the format of the model code and the California definitions in the California Building Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

INTENDED TO BE OCCUPIED AS A RESIDENCE.
Rationale: HCD proposes to not adopt the above referenced 2012 International Building Code definition. The term is used only in Chapter 11, which is not adopted in California and not printed in the California Building Code. There is no need for an unused term to be defined.

LABELED.
Rationale: HCD proposes to continue adoption of the above referenced model code definition with California amendment. The California amendment provides consistency with the definition in Health and Safety Code Section 17920(g) and provides clarity for the code user.

LISTED.
LISTING AGENCY.
Rationale: HCD proposes to continue adoption of the above referenced definitions with California amendments, which provide consistency with language in Health and Safety Code Section 17920.

LOBBY.
LODGING HOUSE.
Rationale: HCD proposes to continue adoption of the above referenced definitions.

MULTILEVEL ASSEMBLY SEATING.
Rationale: HCD proposes to not adopt the above referenced 2012 International Building Code definition. The term is used only in Chapter 11, which is not adopted in California and not printed in the California Building Code. There is no need for an unused term to be defined in Chapter 2.

MULTISTORY DWELLING UNIT.
Rationale: HCD proposes to continue adoption of the above referenced definition, which refers the code user to the definition located in Chapter 11A.

MULTISTORY UNITS.
Rationale: HCD proposes to not adopt the above referenced 2012 International Building Code definition. The term is used only in Chapter 11, which is not adopted in California and not printed in the California Building Code. There is no need for an unused term to be defined in Chapter 2.

NEWLY CONSTRUCTED
Rationale: HCD proposes to continue adoption of the above referenced definition, which refers the code user to the definitions located in Chapter 11A.

NORMAL.
Rationale: HCD proposes to continue adoption of the above referenced definition.

PASSENGER ELEVATOR.
Rationale: HCD proposes to continue adoption of the above referenced definition, which provides reference to the California Code of Regulations (CCR), Title 8 “Elevator safety Orders”. The Elevator Safety Construction Code was removed from Title 24, California Building Standards Code (Part 7) during the 2006 Triennial Code Adoption Cycle and relocated to Title 8 of the CCR.

PASSIVE SOLAR ENERGY COLLECTOR.
Rationale: HCD proposes to continue adoption of the above referenced definition.

PERSONS WITH DISABILITIES.
POWDER ROOM
PRIMARY ENTRY
PRIMARY ENTRY LEVEL.
Rationale: HCD proposes to continue adoption of the above referenced definitions, which refer the code user to the definitions located in Chapter 11A.

PUBLIC ACCOMMODATION.
Rationale: HCD proposes to continue adoption of the above referenced definition for consistency with state law and to provide clarity for the code user. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code with nonsubstantive editorial corrections (“includes”, which is the first word of the sentence, is modified to begin with capital “I”). There is no intended change in regulatory effect.

RECOMMEND.
Rationale: HCD proposes to continue adoption of the above referenced definition.

SELF-SERVICE STORAGE FACILITY.
Rationale: HCD proposes to not adopt the above referenced 2012 International Building Code definition. The term is used only in Chapter 11, which is not adopted in California and not printed in the California Building Code. There is no need for an unused term to be defined in Chapter 2.

SHOULD.
SINGLE-ACCOMODATION SANITARY FACILITY.
Rationale: HCD proposes to continue adoption of the above referenced definitions.

SITE DEVELOPMENT.
Rationale: HCD proposes to continue adoption of the above referenced, which provides clarity to the code user as it applies to accessibility standards.

SLOPE.
Rationale: HCD proposes to continue adoption of the above referenced definition, which refers the code user to the definition located in Chapter 11A.

SPACE.
TACTILE.
Rationale: HCD proposes to continue adoption of the above referenced definitions.

TESTING AGENCY.
Rationale: HCD proposes to continue adoption of the above referenced definition, which provides consistency with language in Health and Safety Code Section 17920.

TYPE A UNIT.
TYPE B UNIT.
Rationale: HCD proposes to not adopt above referenced 2012 International Building Code definitions. The terms are used only in Chapter 11, which is not adopted in California and not printed in the California Building Code. There is no need for unused terms to be defined in Chapter 2.

VEHICULAR OR PEDESTRIAN ARRIVAL POINTS.
Rationale: HCD proposes to continue adoption of the above referenced definition, which refers the code user to the definition located in Chapter 11A. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

WHEELCHAIR.
Rationale: HCD proposes to continue adoption of the above referenced definition. The definition is relevant to HCD's access compliance provisions found in Chapter 11A.

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53. CHAPTER 3
USE AND OCCUPANCY CLASSIFICATION

HCD proposes to adopt Chapter 3 from the 2012 International Building Code, and bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code with nonsubstantive editorial corrections as follows.

SECTION 302 – CLASSIFICATION

Section: 302.1 General. Item 11

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The existing California amendment adds the Group R-2.1 and Group R-3.1 occupancy classifications to correlate with the Office of the State Fire Marshal's existing amendment in Section 310.1.

Note: The Item numbers in the model code are different due to the SFM amendments, which are proposed to be brought forward.

SECTION 305 – EDUCATIONAL GROUP E

Section: 305.2.3 Five or fewer children in a dwelling unit.

Rationale: HCD proposes to adopt the above referenced section with amendment, which changes a reference from the International Residential Code to the California Residential Code. There is no intended change in regulatory effect.

SECTION 308 – INSTITUTIONAL GROUP I

Section 308.3 Group I-1. (Formerly Section 308.2)

Rationale: HCD proposes to not adopt the above referenced section from the 2012 International Building Code because Group I-2 is not used in California. Instead, Group R-2.1 and Group R-3.1 are added to the occupancy groups in Section 310 to correlate with the Office of the State Fire Marshal's amendments.

Section: 308.6.4 Group I-4, day care facilities.

Rationale: HCD proposes to adopt the above referenced section with amendment, which changes a reference from the International Residential Code to the California Residential Code, and clarifies that a facility within a dwelling unit and having six (five in the model code) or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the California Residential Code. The same language is currently in the 2010 California Building Code, but in Section 308.5. In the 2012 International Building Code, Section 308 is reorganized and renumbered. There is no intended change in regulatory effect.

SECTION 310 – RESIDENTIAL GROUP R

Section: 310.1 Residential Group R.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which changes a reference from the International Residential Code to the California Residential Code. There is no intended change in regulatory effect.

Sections: 310.3 Residential Group R-1. (Formerly part of Section 310.1)
310.4 Residential Group R-2. (Formerly part of Section 310.1)
310.5 Residential Group R-3. (Formerly part of Section 310.1)

Rationale: HCD proposes to continue adoption of the above referenced sections with amendments. The existing California amendments formerly changed references from the International Residential Code to the California Residential Code, and added language to include efficiency dwelling units. Additional editorial corrections (such as renumbering) have been made due to the model code reorganization in this chapter. There is no intended change in regulatory effect from the 2010 California Building Code.

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54. CHAPTER 4
SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

HCD proposes to bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code with editorial corrections as follows.

SECTION 406 – MOTOR-VEHICLE-RELATED OCCUPANCIES

Rationale: Section 406 has been reorganized and renumbered from the 2009 International Building Code. The former section numbers of all California amendments are shown in brackets for convenience.

Section: 406.3.5 Automatic garage door openers. (Formerly Section 406.1.5)

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment provides the code user with the correct reference to the existing residential garage door opener provisions in the Health and Safety Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and renumbered for compliance with the reorganized model code. There is no intended change in regulatory effect.

Section: **406.6.2 Ventilation. (Formerly Section 406.4.2)**
Section: **406.8.1 Ventilation. (Formerly Section 406.6.3)**
Section: **406.8.4 Heating equipment. (Formerly Section 406.6.5)**

Rationale: HCD proposes to continue adoption of the above referenced sections with amendment, which provides the code user with the correct reference to the California Mechanical Code since the International Mechanical Code is not proposed for adoption in California. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and renumbered for compliance with the reorganized model code. There is no intended change in regulatory effect.

SECTION 409 – MOTION PICTURE PROJECTION ROOMS

Section: **409.3 Projection room and equipment room ventilation.**

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Mechanical Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 414 – HAZARDOUS MATERIALS

Sections: **414.1.2 Materials.**
414.3 Ventilation

Rationale: HCD proposes to continue adoption of the above referenced sections with amendment, which provides the code user with correct references to the California Mechanical Code.

SECTION 415 – GROUPS H-1, H-2, H-3, H-4 AND H-5

Rationale: Section 415 has been reorganized from the 2009 International Building Code. The former section numbers of all California amendments are shown in brackets for convenience.

Sections: **415.8.1.4 Explosion control. (Formerly Section 415.6.1.4)**
415.8.2 Flammable and combustible liquids. (Formerly Section 415.6.2)
415.8.2.7 Room ventilation. (Formerly Section 415.6.2.8)
415.8.3 Liquefied petroleum gas facilities. (Formerly Section 415.6.3)
415.8.4 Dry cleaning plants. (Formerly Section 415.6.4)
415.10.11 Exhaust ducts for HPM. (Formerly Section 415.8.11.1)

Rationale: HCD proposes to continue adoption of the above referenced sections with amendments. The California amendments provide the code user with correct references to the California Mechanical Code or the California Plumbing Code since the International versions of these codes are not proposed for adoption in California. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and renumbered for compliance with the reorganized model code. There is no intended change in regulatory effect.

SECTION 416 – APPLICATION OF FLAMMABLE FINISHES

Section: **416.2.2 Ventilation.**

Rationale: HCD proposes to adopt the above referenced section with amendment, which provides the code user with the correct reference to the California Mechanical Code. The California amendment is necessary because of new model code language.

Section: **416.3 Spraying spaces.**

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Mechanical Code.

SECTION 417 – DRYING ROOMS

Section: 417.1 General.

Rationale: HCD proposes to adopt the above referenced section with amendment, which provides the code user with the correct reference to the California Mechanical Code. The California amendment is necessary because of new model code language.

SECTION 419 – LIVE/WORK UNITS

Section: 419.8 Ventilation.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with a correct reference to the California Mechanical Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 420 – GROUPS I-1, R-1, R-2, R-3

Section: 420.6 Carbon monoxide alarms. (Formerly Section 420.4)

Rationale: HCD proposes to continue adoption of the above referenced section. The California amendment requires carbon monoxide alarms (CO alarms) installation in Group R occupancies (new construction and existing buildings) located in buildings containing a fuel-burning appliance or an attached garage. HCD proposes to renumber this section to align with changes made to section numbers in Chapter 4. There is no intended change in regulatory effect.

Section: 420.7 Special provisions for residential hotels (Formerly Section 424)
Section: 420.7.1 Locking mail receptacles. (Formerly Section 424.1)

Rationale: HCD proposes to continue adoption of the above referenced sections. The California amendment is necessary for implementation of a statutory requirement for locking mail receptacles for each residential unit in residential hotels. The amendment also serves as a pointer for the code user to Health and Safety Code Section 17958.3 for further reference and detail. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and renumbered to align with changes made to section numbers in Chapter 4. There is no intended change in regulatory effect.

SECTION 421 – HYDROGEN CUTOFF ROOMS

Section: 421.5 Ventilation.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with a correct reference to the California Mechanical Code.

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55. CHAPTER 5
GENERAL BUILDING HEIGHTS AND AREAS

HCD proposes to bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code as follows.

SECTION 503 – GENERAL BUILDING HEIGHT AND AREA LIMITATIONS

Section: 503.1 General. Exception.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment clarifies the special exception for types of construction, which may be used for limited-density owner-built rural dwellings. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

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56. CHAPTER 6
TYPES OF CONSTRUCTION

HCD proposes to bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code without change.

SECTION 603 – COMBUSTIBLE MATERIAL IN TYPE I AND II CONSTRUCTION

Sections: **603.1 Allowable materials. Item 25**
603.1.1 Ducts.
603.1.2 Piping.
603.1.3 Electrical.

Rationale: HCD proposes to continue adoption of the above referenced sections with amendment. The California amendments provide the code user with the correct reference to the California Mechanical Code, California Plumbing Code and California Electrical Code since the International versions of these codes are not proposed for adoption in California. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

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57. CHAPTER 7
FIRE AND SMOKE PROTECTION FEATURES

HCD proposes to bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code with editorial corrections as follows.

SECTION 703 – FIRE RESISTANCE RATINGS AND FIRE TESTS

Section: **703.4 Automatic sprinklers.**

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with a correct reference to the California Building Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code.

(**Note:** Sections 104.10 and 104.11 referenced in Section 703.4 are not adopted by HCD.)

SECTION 712 – VERTICAL OPENINGS

Section: **712.1.5 Ducts.**

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Mechanical Code. The California amendment has been brought forward from the 2010 California Building Code (Section 708.2, Exception 4) for adoption into the 2013 California Building Code and renumbered to align with the changes made to section numbers in Chapter 7.

SECTION 717 – DUCTS AND AIR TRANSFER OPENINGS (Formerly Section 716)

Sections: **717.2.2 Hazardous exhaust ducts.**
717.5.3 Shaft enclosures. Exception 5.
717.5.4 Fire partitions. Exception 3.
717.6.1 Through penetrations.
717.6.2 Membrane penetrations.
717.6.3 Nonfire-resistance-rated floor assemblies.

Rationale: HCD proposes to continue adoption of the above referenced sections with amendment, which provides the code user with the correct reference to the California Mechanical Code. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and renumbered to align with the changes made to section numbers in Chapter 7. There is no intended change of regulatory effect.

SECTION 718 – CONCEALED SPACES (Formerly Section 717)

Section: 718.5 Combustible materials in concealed spaces in Type I or II construction. (Exceptions 2 and 5).

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment provides the code user with the correct references to the California Mechanical Code and California Plumbing Code since the International versions of these codes are not proposed for adoption in California. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and renumbered to align with the reformatted Chapter 7.

SECTION 720 – THERMAL- AND SOUND-INSULATING MATERIALS (Formerly Section 719)

Sections: 720.1 General (Exception 3).
720.7 Insulation and covering on pipe and tubing. Exception.

Rationale: HCD proposes to continue adoption of the above referenced sections with amendments, which provide the code user with the correct reference to the California Mechanical Code. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and renumbered to align with the changes made to section numbers in Chapter 7.

SECTION 721 – PRESCRIPTIVE FIRE RESISTANCE (Formerly Section 720)

Section: 721.2 Cellular concrete.

Rationale: HCD proposes to continue adoption of the above referenced section, which provides measures for the use of cellular concrete. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and renumbered to align with the changes made to section numbers in Chapter 7. There is no intended change in regulatory effect.

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58. CHAPTER 9
FIRE PROTECTION SYSTEMS

HCD proposes to bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code without editorial corrections as follows.

SECTION 903 – AUTOMATIC SPRINKLER SYSTEMS

Section: 903.2.11.4 Ducts conveying hazardous exhausts.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment referring the code user to the California Mechanical Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

Section: 903.3.5 Water supplies.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment referring the code user to the California Plumbing Code since the International Plumbing Code is not proposed for adoption in California.

Section: 903.3.5.2 Secondary water supply.

Rationale: HCD proposes to adopt the above referenced section with amendment, which provides the code user with the correct reference to the California Building Code. The California amendment is necessary due to the model code modification. There is no intended change in regulatory effect.

SECTION 904 – ALTERNATIVE AUTOMATIC FIRE-EXTINGUISING SYSTEMS

Sections: 904.2.1 Commercial hood and duct systems.
904.11 Commercial cooking systems. 5. Exception.

Rationale: HCD proposes to continue adoption of the above referenced sections with amendment, which provides the code user with the correct reference to the California Mechanical Code. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

Sections: 904.3.1 Electrical wiring.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment provides the code user with the correct reference to the California Electrical Code. The National Electrical Code (NFPA 70) is being adopted by reference into the California Electrical Code for use in California. This California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 907 – FIRE ALARM AND DETECTION SYSTEMS

Section: 907.3.1 Duct smoke detectors.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Mechanical Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

Section: 907.5.2.3.4 Group R-2.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment removes International Building Code references to ICC A117.1 and provides reference to NFPA 72 standard for alarms. The model code, which was modified in the 2012 International Building Code (Chapter 10 was added before ICC A117.1) references ICC A117.1 as the correct standard for installation of visible alarm notification systems. Even though the Fair Housing Amendments Act references ICC A117.1 as a safe harbor standard for the design and construction of accessible housing, in some areas, California has accessibility requirements that exceed those in ICC A117.1. Therefore, ICC A117.1 has <u>not</u> been adopted by California. At the same time, Chapter 10 of ICC A117.1 refers to NFPA 72 as the appropriate standard for installation of visible alarm notification systems. Therefore, HCD believes that NFPA 72 is the appropriate standard to be referenced. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

Section: 907.6.1 Wiring.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment provides the code user with the correct reference to the California Electrical Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 908 – EMERGENCY ALARM SYSTEMS

Section: 908.6 Refrigerant detector.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which refers the code user to the California Mechanical Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 909 – SMOKE CONTROL SYSTEMS

Sections: **909.1 Scope and purpose.**
909.10.2 Ducts.

Rationale: HCD proposes to continue adoption of the above referenced sections with amendments. The California amendments refer the code user to the California Mechanical Code since the International Mechanical Code is not proposed for adoption in California. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

Sections: **909.12.1 Wiring.**
909.16.3 Control action and priorities.

Rationale: HCD proposes to continue adoption of the above referenced sections with amendments. The California amendments provide the code user with the correct reference to the California Electrical Code. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 912 – FIRE DEPARTMENT CONNECTIONS

Section: **912.5 Backflow protection.**

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which refers the code user to the California Plumbing Code since the International Plumbing Code is not proposed for adoption in California.

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59. CHAPTER 10
MEANS OF EGRESS

HCD proposes to bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code with nonsubstantive editorial corrections as follows.

SECTION 1002 – DEFINITIONS

GUARD or GUARDRAIL.

Rationale: HCD proposes to continue adoption of the above referenced definition relocated in Chapter 2 "Definitions" for consistency with the model code. All of the definitions in the 2012 International Building Code are relocated to a single location in Chapter 2, Section 202. Only the specifically defined terms are listed in their previous locations.

SECTION 1007 – ACCESSIBLE MEANS OF EGRESS

Section: **1007.6.1 Size. (of areas of refuge)**

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and addresses the size of the required area of refuge related to accessibility.

Section: **1007.8.1.1 Visible communication method.**

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The existing California amendment, which currently is a co-adoption with the DSA, directs the code user to the accessibility provisions located in Chapter 11B, Section 1117B.6. However, Section 1127A.9.6 contains the same requirements (height and reach ranges) related to covered multifamily dwellings. HCD proposes to add Section 1127A.9.6 as a correct reference to the provisions in Chapter 11A. The reference to Section 1117B.6 is proposed for elimination due to anticipated revisions of Chapter 11B by the DSA. The existing California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

Note: This amendment was included in Chapter 10 during the 2006 Triennial Code Adoption Cycle when California adopted the International Building Code as a new model code. Previous versions of the California Building Code contained requirements for areas of Evacuation Assistance in Chapters 11A and 11B. The 2006 International Building Code contained similar provisions in Chapter 10; therefore, the Office of the State Fire Marshal proposed to eliminate the requirements in Chapters 11A and 11B.

The DSA and the SFM worked on a coordinated adoption of this section in the 2006 California Building Code. HCD revised its proposed language to correlate with the proposed amendment by the other two agencies. This amendment was carried forward, renumbered, and co-adopted in the 2010 California Building Code. The DSA is currently developing its proposals for reorganization of Chapter 11B. Due to anticipated revisions to Chapter 11B by the DSA, HCD proposes to delete existing references to Chapter 11B in amended definitions and sections related to accessibility addressed in this regulatory action. HCD will continue to monitor and evaluate the DSA proposals, when available. Definitions and sections related to accessibility may need further revision as the rulemaking process continues.

Section: 1007.12 Alarms/emergency warning systems/accessibility.

Rationale: HCD proposes to continue adoption of the above referenced amendment, which includes provisions for emergency warning systems. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 1008 – DOORS, GATES AND TURNSTILES

Sections: 1008.1.5 Floor elevation. Exceptions 3 and 5.
1008.1.8 Door arrangement. Exception 3.

Rationale: HCD proposes to continue adoption of the above referenced sections with amendments. The California amendments direct the code user to the accessibility provisions in Chapter 11A and remove International Building Code references to “Type A” and “Type B” units. (Exception 5 of Section 1008.1.5 is deleted because it is covered in Chapter 11A.)

California does not currently differentiate among types of dwelling units, although “COVERED DWELLING UNITS” are required to be adaptable and on an accessible route. The California amendments have been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 1010 – RAMPS

Section: 1010.7.3 Length. Exception 1. (Formerly Section: 1010.6.3)
Section: 1010.7.4 Change in direction. Exception. (Formerly Section: 1010.6.4)

Rationale: HCD proposes to continue adoption of the above referenced sections with amendments. The California amendments remove International Building Code references to “Type A unit", "Type B unit" and Section 1107 of Chapter 11. California does not currently differentiate among types of dwelling units, although “COVERED MULTIFAMILY DWELLINGS” are required to be adaptable/accessible and on an accessible route. Additional modifications have been made to accommodate renumbering and/or modifications of sections in Chapter 10 of the 2012 International Building Code. These modifications are for purposes of clarification. There is no intended change in regulatory effect.

SECTION 1015 – EXIT AND EXIT ACCESS DOORWAYS

Section: 1015.5 Refrigerated rooms or spaces. Exception.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which refers the code user to the California Mechanical Code since the International Mechanical Code is <u>not</u> proposed for adoption in California.

SECTION 1018 – CORRIDORS

Section: 1018.5.1 Corridor ceiling. Item 3.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which refers the code user to the California Mechanical Code since the International Mechanical Code is not proposed for adoption in California. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

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60. CHAPTER 12
INTERIOR ENVIRONMENT

HCD proposes to adopt Chapter 12 from the 2012 International Building Code, and bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code with nonsubstantive editorial corrections as follows.

SECTION 1203 – VENTILATION

Section: 1203.3.2 Exceptions.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment provides the code user with the correct reference to the California Energy Code since the International Energy Conservation Code is not proposed for adoption in California. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

Section: 1203.4 Natural ventilation.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment and nonsubstantive editorial corrections for consistency with other parts of this code. HCD proposes to remove the identification banner and replace it with the same banner, but in a different font style (bold instead of regular). The California amendment clarifies and implements compliance with Health and Safety Code Section 17959.3, which requires HCD to prepare, adopt, and submit modifications to regulations concerning light and ventilation requirements. These requirements would also allow modifications to existing buildings for the installation of passive solar energy systems.

Section: 1203.4.2 Contaminants exhausted.
Section: 1203.5 Other ventilation and exhaust systems.

Rationale: HCD proposes to continue adoption of the above referenced sections with amendments, which provide the code user with the correct reference to the California Mechanical Code since the International Mechanical Code is not proposed for adoption in California. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 1204 – TEMPERATURE CONTROL

Section: 1204.1 Equipment and systems.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment clarifying the special exception for heating systems, which may be used in limited-density owner-built rural dwellings. The California amendment also provides compliance with Health and Safety Code Section 17959.3, which requires HCD to prepare, adopt, and submit modifications to regulations concerning light and ventilation requirements. These requirements would also allow modifications to existing buildings for the installation of passive solar energy systems. The amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 1205 – LIGHTING

Section: 1205.1 General.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment clarifies and provides compliance with Health and Safety Code Section 17959.3, which requires HCD to prepare, adopt, and submit modifications to regulations concerning light and ventilation requirements. These requirements would also allow modifications to existing buildings for the installation of passive solar energy systems. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

Section: 1205.4.1 Controls.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment provides the code user with the correct reference to the California Electrical Code, which adopts the National Electric Code (NFPA 70). The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 1206 – YARDS OR COURTS

Section: 1206.3.3 Court drainage.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Plumbing Code since the International Plumbing Code is <u>not</u> proposed for adoption in California.

SECTION 1208 – INTERIOR SPACE DIMENSIONS

Section: 1208.1 Minimum room widths.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment and nonsubstantive editorial corrections for consistency with other parts of this code. HCD proposes to remove the identification banner and replace it with the same banner, but in different font style (bold instead of regular). The California amendment clarifies an exception for room dimensions, which may be used in limited-density owner-built rural dwellings.

SECTION 1209 – ACCESS TO UNOCCUPIED SPACES

Section: 1209.3 Mechanical appliances.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Mechanical Code.

SECTION 1211 – GARAGE DOOR SPRINGS

Sections: 1211.1 General.
1211.2 Design standards.
1211.3 Certification.
1211.4 Containment devices.
1211.5 Identification.

Rationale: HCD proposes to continue adoption of the above referenced sections, part of Section 1211. This section addresses requirements in Health and Safety Code Section 17927, which directs HCD to adopt regulations for garage door springs used in garages accessory to hotels, motels, apartment houses, and dwellings that are reasonably necessary to prevent death, injury, or property damage from breaking garage door springs. This section has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

61. CHAPTER 14
EXTERIOR WALLS

HCD proposes to adopt Chapter 14 from the 2012 International Building Code, and bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code without change.

SECTION 1405 – INSTALLATION OF WALL COVERINGS

Section: 1405.3 Vapor retarders.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment provides consistency with the California Energy Code (CEC), Subchapter 7, Low-Rise Residential Buildings - Mandatory Features and Devices, Section 150(g). Section 150 (g) requires vapor retarders to be installed in Climate Zones 14 and 16 (high desert and mountainous areas) on the conditioned space side of all insulation in all exterior walls, attics, and unvented crawl spaces to protect insulation from condensation.

The original California amendment was proposed in the 2010 California Building Code by HCD in consultation with the California Energy Commission to ensure the amendment was not in conflict with the California Energy Code requirements. The proposed editorial modification (deletion of "vapor barriers" and) reflects pending changes to the 2013 California Energy Code (use of term vapor retarder instead vapor barrier). HCD also clarifies that this section applies to low-rise residential buildings in Climate Zones 14 and 16 only. The proposed amendment is consistent with the proposed amendment for the California Residential Code for one- and two-family dwellings. There is no intended change in regulatory effect.

The model code sections reference IECC Climate Zones not proposed for adoption by HCD. Climate Zones 14 and 16 have requirements for vapor barriers in the CEC. However, Climate Zones located in the IECC Marine 4 Climate Zones currently have no vapor barrier requirements in the CEC since Marine 4 in California has significantly milder weather than in many parts of Marine 4 throughout other parts of the United States. Adding additional vapor barrier requirements to California Climate Zones that currently do not have vapor barrier requirements will cause a conflict with other parts of the California Building Standards Code.

Section: 1405.3.1 Class III vapor retarders.
TABLE 1405.3.1 CLASS III VAPOR RETARDERS

Rationale: HCD proposes to continue adoption of Section 1405.3 with amendment, and to <u>not</u> adopt Table 1405.3.1, to provide consistency with the California Energy Code. Section 1405.3.1 allows the use of Class III vapor retarders, in lieu of Class I and Class II vapor retarders, in California Climate Zones 14 and 16.

HCD proposes to <u>not</u> adopt Table 1405.3.1 since it references climate zones outside of California Climate Zones 14 and 16 for purposes of vapor retarder use in low-rise residential buildings. California's inland Climate Zone 4, under the IECC code, includes areas of California's High Desert and mountain regions. Both Climate Zones have very low humidity in comparison with IECC western Marine 4 of the North West, Climate Zone 4 locations, or the eastern United States as a whole. Because the amount of interior or exterior humidity is substantially lower, reducing the exterior impermeable insulation R-value is not required.

HCD proposes to continue to present Class III vapor retarder use provisions in an HCD-specific section and to reduce the model code R-value requirement for insulated sheathing to reflect California's climate. The California amendment is consistent with the proposed amendment for the California Residential Code for one- and two-family dwellings.

62. CHAPTER 16
STRUCTURAL DESIGN

SECTION 1607 – LIVE LOADS

Section: 1607.8 Loads on handrails, guards, grab bars, shower seats, dressing room bench seats and vehicle barrier systems. (Formerly Section 1607.7)

HCD proposes to continue adoption of the above referenced section with amendment. The existing California amendment clarifies the title of the section to include provisions for shower seats and dressing room bench seats. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and renumbered for compliance with the model code reformatting of Chapter 16. There is no intended change in regulatory effect.

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63. CHAPTER 17
STRUCTURAL TESTS AND SPECIAL INSPECTIONS

HCD proposes to adopt Chapter 17 from the 2012 International Building Code, bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code and renumber sections to align with the new model code format as follows.

SECTION 1704 – SPECIAL INSPECTIONS

Section: 1704.2 Special inspections. (Formerly Section 1704.1 General)

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The California amendment provides clarity, specificity and direction to the code user regarding application of California laws in the construction of residential occupancies, accessory structures and permanent buildings and structures subject to the Factory-Built Housing Law. The California amendment, renumbered for consistency with the new model code formatting of Chapter 17, has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

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64. CHAPTER 18
SOILS AND FOUNDATIONS

HCD proposes to adopt Chapter 18 from the 2012 International Building Code, and bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code with nonsubstantive editorial corrections as follows.

SECTION 1801 – GENERAL

Section: 1801.2 Design basis.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment and a nonsubstantive editorial correction. HCD proposes to remove the identification banner, and replace it with the same banner, but in different font style (bold instead of regular). The California amendment clarifies the special exception for foundation systems, which may be used in limited-density owner-built rural dwellings. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 1805 – DAMPPROOFING AND WATERPROOFING

Section: 1805.4.3 Drainage discharge.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Plumbing Code since the International Plumbing Code is <u>not</u> proposed for adoption in California.

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65. CHAPTER 19
CONCRETE

HCD proposes to adopt Chapter 19 from the 2012 International Building Code, bring forward existing California amendments from the 2010 California Building Code for adoption into the 2013 California Building Code and renumber sections to align with the new model code format.

SECTION 1905 – MODIFICATIONS TO ACI 318

Sections: **1905.1.2 ACI 318, Section 21.1.1. (Formerly 1908.1.2)**
1905.1.6 ACI 318, Section 21.12.1.1. (Formerly 1908.1.6)

Rationale: HCD proposes to continue adoption of the above referenced sections with amendment, which provides the code user with correct references to the California Building Code. The California amendments are renumbered for consistency with the modifications and renumbering in the model code. There is no intended change in regulatory effect.

Section: **1905.1.3 ACI 318, Section 21.4. (Formerly 1908.1.3)**

Rationale: HCD proposes to adopt the above referenced section with amendment, which provides the code user with the correct reference to the California Building Code. This California amendment is necessary because of the new model code language. There is no intended change in regulatory effect.

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66. CHAPTER 21
MASONRY

HCD proposes to bring forward existing California amendments in Chapter 21 from the 2010 California Building Code for adoption into the 2013 California Building Code as follows.

SECTION 2109 – EMPIRICAL DESIGN OF MASONRY

Section: **2109.1.1 Limitations.**

Rationale: HCD proposes to adopt the above referenced section with amendment, which provides the code user with the correct reference to the California Building Code. The California amendment is necessary because of the new model code language. There is no intended change in regulatory effect.

SECTION 2113 – MASONRY CHIMNEYS

Sections: **2113.11.1.2 Gas appliances.**
2113.15 Flue area (appliance).

Rationale: HCD proposes to continue adoption of the above referenced sections with amendment. These sections provide the code user with the correct reference to the California Mechanical Code since the International Fuel Gas Code is <u>not</u> proposed for adoption in California.

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67. CHAPTER 23
WOOD

HCD proposes to bring forward existing California amendments in Chapter 23 from the 2010 California Building Code for adoption into the 2013 California Building Code with nonsubstantive editorial corrections as follows.

SECTION 2301 – GENERAL

Section: **2301.1 Scope.**

Rationale: HCD proposes to continue adoption of the above referenced section with amendment and nonsubstantive editorial corrections. HCD proposes to remove the identification banner, and replace it with the same

banner, but in different font style (bold instead of regular). The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code and clarifies the special exception for materials allowed to be used in limited-density owner-built rural dwellings. There is no intended change in regulatory effect.

SECTION 2304 – GENERAL CONSTRUCTION REQUIREMENTS

Section: 2304.5 Framing around flues and chimneys.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Mechanical Code. There is no intended change in regulatory effect.

SECTION 2308 CONVENTIONAL LIGHT-FRAME CONSTRUCTION

Section: 2308.1 General.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Residential Code. There is no intended change in regulatory effect.

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68. CHAPTER 31
SPECIAL CONSTRUCTION

HCD proposes to bring forward existing California amendments in Chapter 31 from the 2010 California Building Code for adoption into the 2013 California Building Code as follows.

SECTION 3104 – PEDESTRIAN WALKWAYS AND TUNNELS

Section: 3104.2 Separate structures.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment. The existing California amendment directs the code user to the accessibility provisions in Chapter 11A, removes reference to "Type B" units, and clarifies the Fair Housing Amendments Act guidelines for connected structures. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

SECTION 3109 – SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

Rationale: HCD proposes to <u>not</u> adopt the above listed 2012 International Building Code section. HCD does not have legislative authority to adopt building standards for barriers relating to public or residential swimming pools. AB 3305, Statutes of 1996, set minimum statewide standards for swimming pool safety, which gave authority for modification to local jurisdictions.

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69. CHAPTER 33
SAFEGUARDS DURING CONSTRUCTION

HCD proposes to bring forward existing California amendments in Chapter 33 from the 2010 California Building Code for adoption into the 2013 California Building Code as follows.

SECTION 3305 – SANITARY

Section: 3305.1 Facilities required.

Rationale: HCD proposes to continue adoption of the above referenced section with amendment, which provides the code user with the correct reference to the California Plumbing Code. The California amendment has been brought forward from the 2010 California Building Code for adoption into the 2013 California Building Code. There is no intended change in regulatory effect.

BENEFITS ANTICIPATED FROM THE PROPOSED REGULATORY ACTION

(Government Code Section 11346.2(b)(1) requires an enumeration of the benefits anticipated from the proposed regulatory action, including the benefits or goals provided in the authorizing statute.)

- Updated and improved minimum requirements necessary to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, accessibility, use and occupancy, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment.
- Protection of public health and safety, worker safety and the environment.
- General welfare of California residents.

ECONOMIC IMPACT ASSESSMENT REPORT RELIED UPON

(Government Code Section 11346.3(b) requires preparation of an Economic Impact Assessment upon which the agency relies in proposing the regulation (s).)

- Economic Impact Assessment for the Adoption by Reference of the 2012 edition of the International Building Code with Proposed Amendments into the 2013 California Building Code.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS

(Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).)

None.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

(Government Code Section 11346.2(b)(4) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.)

HCD is statutorily required to adopt by reference model building codes, which contain prescriptive standards. Prescriptive standards provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety and welfare standards for owners, occupants and guests.

Performance standards are permitted by state law; however, they must be demonstrated to the satisfaction of the proper enforcing agency.

CONSIDERATION OF REASONABLE ALTERNATIVES

(Government Code Section 11346.2(b)(5)(A) requires a description of reasonable alternatives to the regulation and the agency's reason for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered an alternative. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.)

None. There were no alternatives available to HCD. HCD is required by statute to adopt this model code by reference.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

(Government Code Section 11346.2(b)(5)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business. Include facts, evidence, documents, testimony, or other evidence upon which the agency relies to support an initial determination that the action will not have a significant adverse impact on business.)

None. There were no alternatives available to HCD. HCD is required by statute to adopt this model code by reference.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

(Government Code Section 11346.2(b)(6) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.)

HCD has determined that this regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

(Government Code Section 11346.2(b)(7) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.)

These regulations do not duplicate nor conflict with federal regulations.