

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

PARTICIPATION COMMENTS FOR THE NOTICE DATED OCTOBER 26, 2012
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: DECEMBER 10, 2012

Date: December 2, 2012

From: Mr. Jay Hyde- Chairman
SVABO Code Development Committee< Accessibility Sub Committee

Name (Print or type)

(Signature)

Sacramento Valley Association of Building Officials

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Agency, jurisdiction, chapter, company, association, individual, etc.
1215 K Street Suite 940 Sacramento California 95814
Street City State Zip

I/We Do not agree with:

[X] The Agency proposed modifications As Submitted on Section No. **11B-206.2.3**

and request that this section or reference provision be recommended:

[] Approved [] Disapproved [] Held for Further Study [X] **Approved as Amended**

Suggested Revisions to the Text of the Regulations:

11B-206.2.3 Multi-Story Buildings and Facilities. At least one accessible route shall connect each story in multi-story buildings and facilities and **mezzanines levels located in all single story and multi-story buildings and facilities.**

EXCEPTIONS: 1. The following types of privately funded multistory buildings do not require a ramp or elevator above and below the first floor:

1.1. Multistoried office buildings (other than the professional office of a health care provider) and passenger vehicle service stations less than three stories high or less than 3,000 square feet (279 m²) per story.

1.2. Any other privately funded multistoried building that is not a shopping center, shopping mall or the professional office of a health care provider, or a terminal, depot or other station used for specified public transportation, or an airport passenger terminal and that is less than three stories high or less than 3,000 square feet (279 m²) per story if a reasonable portion of all facilities and accommodations normally sought and used by the public in such a building are accessible to and usable by persons with disabilities.

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

The reason is that the section heading does not really include or mandates access to mezzanines in all building required to be accessible and useable. This editorial change includes both single story and multi-story buildings and facilities and requires that all level located within these types of buildings requires access including mezzanines which are considered extensions of the floors they are located within.

Because of time frames, this is the best solution to resolve this issue- the opening language as written only stipulates to provide access to mezzanines that are only located in multi-story buildings. The language does not include single story buildings which would be also required to comply.

Since there is no section that specifically addresses mezzanines (this is what this committee would like to recommend) this is the only section that refers to mezzanines- and as such this section must be revised to clean up this language. We recommend that in the future or in emergency language that a separate section regarding mezzanines be provided and leave the access to floors in multistory buildings as a separate section. Since mezzanines are not considered stories to include them in the multistory section requiring the stories above and below the first floor to be accessible and them exempt them with the exceptions does not really address the mezzanine levels located within each story-

Cost impact proposed revision: no change in cost.

9 point criteria validation is by item **3, 4 & 6**

HEALTH & SAFETY CODE SECTION 18930

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

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