

**EXPRESS TERMS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
CALIFORNIA BUILDING STANDARDS COMMISSION**

**REGARDING PROPOSED ADOPTION OF THE  
2005 NATIONAL ELECTRICAL CODE (NEC) FOR THE  
CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 3**

**LEGEND FOR EXPRESS TERMS**

1. Existing California amendments or code language being modified: All such language appears in *italics*, modified language is underlined.
2. New California amendments: All such language appears underlined and in italics.
3. Repealed text: All such language appears in ~~strikeout~~.

The California Building Standards Code (California Code of Regulations, Title 24, Part 1, 2, 3, 4, 5, 6, 7, 8, 10 & 12) is published in its entirety every three years and is effective to all buildings that submit an application for a building permit during its effective period. Each triennial edition of the California Building Standards Code becomes effective 180 days after its publication and is effective at the time an application for a building permit is submitted.

These proposed regulations will make effective the 2005 edition of the National Electrical Code (NEC) of the National Fire Protection Association (NFPA) for state owned buildings, including buildings constructed by the Trustees of the California State University and buildings constructed by the Regents of the University of California that are permitted under the next triennial addition of the California Electrical Code (CEC). Further, California law makes the NEC standards adopted by the Commission applicable to all occupancies in California.

**EXPRESS TERMS:**

The California Building Standards Commission proposes to adopt the 2005 edition of the National Electrical Code (NEC) of the National Fire Protection Association (NFPA) for codification and effectiveness in the next triennial edition of the California Electrical Code (CEC) as presented on the following pages. The California Building Standards Commission further proposes to repeal the 2004 California Electrical Code, the 2002 edition of the National Electrical Code of the National Fire Protection Association, as presented on the following pages.

**Adopt Article 89, Sections 89.1 and 89.2 with amended articles as indicated**

**MATRIX ADOPTION TABLE**

Adopting Agency	BSC	REMARKS
Adopt Only those California Chapter 89 articles <sup>1, 2, 3</sup> listed below	<b>X</b>	
89.1 CA	<b>X</b>	
89.2 CA	<b>X</b>	

AMENDMENTS:

**CALIFORNIA ARTICLE 89**  
**GENERAL CODE PROVISIONS**

**SECTION 89.1**  
**GENERAL**

**89.1.1 Title.** *(Relocated from 2001 CBC 101.1) ~~For the State of California, these regulations shall be known as the California Electrical Code. The provisions contained in the California Building Code of the (compiled) as defined in Section 18910, Health and Safety Code, may be cited as such and are will be referred to hereafter herein as “these regulations” or “these building standards” or “this code.” The California Electrical Code is Part 3 of eleven parts of the official compilation and publication of the adoptions, amendment, and repeal of building regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part incorporates by adoption the 2005 National Electrical Code of the National Fire Protection Association (NFPA) with necessary California amendments.~~*

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

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

**89.1.3.1 Non-State-Regulated Buildings, Structures, and Applications.** *The provisions in Chapters 2 through 34 of the 2006 International Building Code of the International Code Council contained or referenced in this code shall apply to all occupancies and applications not regulated by a state agency pursuant to Health and Safety Code Section 18938(b) for Building Standards Law and Section 17950 for State Housing Law.*

**EXCEPTION:** *Local modifications complying with Health and Safety Code Section 18941.5(b)*

for Building Standards Law and Section 17958.7 for State Housing Law, or Section 13869.7 for Fire Protection Districts. See section 101.8 of this code.

**89.1.3.2 State-Regulated Buildings, Structures, and Applications.** The model code provisions, amendments to the model code provisions and/or provisions where there are no relevant model code provisions, shall apply to the following buildings, structures, and applications regulated by state agencies as referenced in the Matrix Adoption Tables and as specified in sections 102 through 113. When adopted by a state agency, the provisions of this code shall be enforced by the appropriate enforcing agency, but only to the extent of authority granted to such agency by the State Legislature.

NOTE: See Legend to distinguish the model code provisions from the California provisions.

1. State-owned buildings, including buildings constructed by the Trustees of the California State University, and to the extent permitted by California laws, buildings designed and constructed by the Regents of the University of California, and regulated by the Building Standards Commission. See section 102 for additional scope provisions.

**89.1.4 Appendices.** Provisions contained in the appendices of this code shall not apply unless specifically adopted by a state agency or adopted by a local enforcing agency in compliance with Health and Safety Code section 18938(b) for Building Standards Law and Health and Safety Code section 17950 for State Housing Law. See section 101.7 for additional scope provisions.

**89.1.5 (Relocated from 2001 CBC 101.7) Standards Reference Documents. Referenced Codes.** The codes, standards and publications adopted and set forth in this code, including other codes, standards and publications referred to therein are, by title and date of publication, hereby adopted as standard reference documents of this code. When this code does not specifically cover any subject related to building design and construction, recognized fire-prevention engineering practices shall be employed. ~~The National Fire Codes and the Fire Protection Handbook of the National Fire Prevention Association may be used as authoritative guides in determining recognized fire-prevention engineering practices.~~

**89.1.6 (Relocated from 2001 CBC 101.8) Non-Building Standards, Orders and Regulations.** Requirements contained in the ~~NEC~~ National Electrical Code, or in any other referenced standard, code or document, which are not building standards as defined in section 18909, Health and Safety Code, shall not be construed as part of the provisions of this code. ~~For the applicability of regulations related to maintenance, operation, use, limitation or prohibitions, and similar non-building regulations~~ standards, orders, and regulations, see other titles of the California Code of Regulations.

**89.1.7 (Relocated from 2001 CBC 101.9) Order of Precedence and Use.**

**89.1.7.1 (Relocated from 2001 CBC 101.9.1) General.** In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern. Where a specific provision varies from a general provision, the specific provisions shall apply.

**89.1.8 City, County, or City and County Amendments, Additions or Deletions.**

The provisions of this code do not limit the authority of city, county, or city and county governments to establish more restrictive and reasonably necessary differences to the provisions contained in this code pursuant to complying with section 101.8.1. The effective date of amendments, additions, or deletions to this code of cities, counties, or city and counties filed pursuant to section 101.8.1 shall be the date filed. However, in no case shall the amendments, additions or deletions to this code be effective any sooner than the effective date of this code.

**89.1.8.1 Findings and Filings.**

1. The city, county, or city and county shall make express findings for each amendment, addition or deletion based upon climatic, topographical, or geological conditions.

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

2. The city, county, or city and county shall file the amendments, additions, or deletions expressly marked and identified as to the applicable findings. Cities, counties, cities and counties, and fire departments shall file the amendments, additions or deletions, and the findings with the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833.
3. Findings prepared by fire protection districts shall be ratified by the local city, county, or city and county and filed with the California Department of Housing and Community Development at 1800 3<sup>rd</sup> Street, Room 260, Sacramento, CA 95814.

**89.1.9** (Relocated from 2001 CBC 101.4) **Effective Date of this Code.** Only those standards approved by the California Building Standards Commission and that are effective at the time an application for building permit is submitted shall apply to the plans and specifications for, and to the construction performed under, that permit. For the effective dates of the provisions contained in this code, see the History Note page of this code.

**89.1.10** (Relocated from 2001 CBC 101.16) **Availability of Codes.** At least one entire copy each of Titles 8, 19, 20, 24, and 25 of the California Code of Regulations with all revisions shall be maintained in the office of the building official responsible for the administration and enforcement of this part code. See Health and Safety Code section 18942 (d) (1) & (2).

**89.1.11** (Relocated from 2001 CBC 101.5) **Format.** This part fundamentally adopts the NEC National Electrical Code by reference on a chapter-by-chapter basis. Such adoption is reflected in the Matrix adoption table of each chapter of this part. When the Matrix adoption tables of a chapter makes no reference to a specific chapter of the NEC National Electrical Code, such chapter of the NEC National Electrical Code is not adopted as a portion of this code.

**89.1.12** (Relocated from 2001 CBC 101.6) **Validity.** If any chapter section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the state as stipulated by statutes, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.

## **SECTION 89.2** **BUILDING STANDARDS COMMISSION**

**89.2.1** (Relocated from 2001 CBC 101.17.3) Specific scope of application of the agency responsible for enforcement, the enforcement agency, and the specific authority to adopt and enforce such provisions of this code, unless otherwise stated.

### **1. State Buildings for all occupancies.**

**Application** – State buildings (all occupancies), including buildings constructed by the Trustees of the California State University and the Regents of the University of California where no state agency has the authority to adopt building standards applicable to such buildings.

**Enforcing Agency** – State or local agency specified by the applicable provisions of law.

**Authority Cited** – Health and Safety Code section 18934.5.

**Reference** – Health and Safety Code, Division 13, Part 2.5, commencing with section 18901.

### **2. University of California, California State Universities, and California Community Colleges.**

**Application** – Standards for lighting for parking lots and primary campus walkways at the University of California, California State Universities, and California Community Colleges.

**Enforcing Agency** – State or local agency specified by the applicable provisions of law.

**Authority Cited** – Government Code section 14617.

Reference – Government Code section 14617.

**3. Existing State-Owned Buildings, including those owned by the University of California and by the California State University– Building seismic retrofit standards including abating falling hazards of structural and nonstructural components and strengthening of building structures. See also Division of the State Architect.**

Enforcing Agency – State or local agency specified by the applicable provisions of law.

Authority Cited – Government Code section 16600

Reference – Government Code sections 16600 through 16604

**4. Unreinforced Masonry Bearing Wall Buildings.**

Application – Minimum seismic strengthening standards for buildings specified in Appendix Chapter 1 of the California Code for Building Conservation, except for buildings subject to building standards adopted pursuant to Part 1.5 (commencing with Section 17910)

Enforcing Agency – State or local agency specified by the applicable provisions of law.

Authority Cited – Health and Safety Code section 18934.6

Reference – Health and Safety Code sections 18901 through 18949

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Notation

Authority: Health and Safety Code §18934.5

References: Health and Safety Code §18934.5

**Adopt Article 90 and Chapter 1 through Chapter 9 of the 2005 NEC:**

**MATRIX ADOPTION TABLE**

Adopting Agency	BSC	REMARKS
Adopt entire 2005 NEC, Article 90 and Chapter 1 through 9 without amendments	X	No new amendments are being proposed by BSC during this next triennial adoption cycle.
Adopt Entire 2005 NEC Chapter 1 through 9 as amended (amended articles listed below)		
Adopt Only those articles of the 2005 NEC which are listed below and/or Adopt Only those California promulgated articles listed below		

Authority: Health & Safety Code Sections 18928 and 18934.5

Reference(s): Health & Safety Code Sections 18928, 18928.1 and 18934.5