

**FINAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT - STRUCTURAL SAFETY (DSA-SS)**

**REGARDING THE CALIFORNIA MECHANICAL CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a final statement of reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**UPDATES TO THE INITIAL STATEMENT OF REASONS:**

(Government Code Section 11346.9(a) (1) requires an update of the information contained in the initial statement of reasons. If update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the initial statement of reasons, the state agency shall comply with Government Code Section 11347.1)

There are no revisions to the Initial Statement of Reasons, as shown below on pages 1 and 2. The Division of the State Architect did not receive any comments regarding this proposed rulemaking action during the 45 Day Public Comment Period.

**STATEMENT OF SPECIFIC PURPOSE AND RATIONALE FOR PROPOSED CHANGES**

DSA proposes to repeal the 2000 edition of the Uniform Mechanical Code (UMC), and adopt the 2006 edition of the Uniform Mechanical Code (published by the International Association of Plumbing and Mechanical Officials) for codification and effectiveness as the 2007 California Mechanical Code. DSA proposes this action in order to comply with state law requiring state agencies to adopt the latest edition model codes within one year of the publication date.

Building standards proposed by DSA-SS for adoption would be applicable to public elementary and secondary schools, community colleges, and state-owned or state-leased essential services buildings.

**CHAPTER 1 - Administration**

Proposed action:

Repeal of DSAA-SS amendments in Sections *101.1, 102.0, 103.1, 103.1.1.1, 103.1.5, 105.2, 108.1.1, 108.1.1.11, 119.0, 120.2, 121.0, 121.1.*

Adoption of Sections *101.1, 101.2, 101.3, 101.3.1, 101.3.2, 101.4, 101.5, 101.6, 101.7, 101.8, 101.8.1, 101.9, 101.10, 101.11, 101.12, 101.13, 109.*

In a coordinated effort with other state agencies, the repealed amendments will be relocated as new amendments into the "California Chapter 1", which contains only state regulations. The unamended model code Chapter 1 is proposed to be relocated into Appendix Chapter 1, for use by local jurisdictions. This action is being proposed for Parts 2, 3, 4, and 5 of Title 24, as each Part adopts a nationally-recognized model code by reference.

**CHAPTER 2**

Section 203.0 - DSA has determined that the amendment referencing the term "enforcement agency" is not necessary, and that DSA's code enforcement role is clearly defined by the model code definition of "authority having jurisdiction" and *Section 109 of State Chapter 1.*

Section 204.0 - DSA has determined that the amendment referring to the "most recent" edition California Building Code is not necessary. The currently effective edition California Building Code is the only applicable code for use in conjunction with any other Parts of Title 24, except where specifically noted otherwise.

DSA has also determined that the amendment referencing the term "enforcement agency" is not necessary. DSA's code enforcement role is defined by model code provisions in conjunction with *Section 109 of State Chapter 1.*

Section 207.0 - See Section 203.0 above.

Section 215.0 - This amendment is not necessary, as it is duplicative with the Uniform Mechanical Code definition contained in Section 220.0 for a refrigeration machinery room.

Section 217.0 - DSA has determined that is not appropriate for the Structural Safety Section of DSA to adopt this amendment, which specifies that occupancy classifications shall be in accordance with the California Building Code, rather than as specified in the Uniform Mechanical Code definition. DSA-SS regulated occupancies (public schools, state essential service facilities) are subject to fire and life safety amendments promulgated by the State Fire Marshal, which DSA understands is the appropriate state agency to resolve any conflicts regarding occupancy classifications between the building code and mechanical code.

Section 223.0 - DSA has determined that these two amendments, which clarify the "UMC" and UMC Standards" are not necessary. These two amendments are technically incorrect, as the currently adopted edition of the Uniform Mechanical Code is the only applicable edition UMC for application to DSA-SS regulated occupancies.

### **CHAPTER 3**

*Section 304.4.1* - DSA has determined that this amendment, which clarifies that mechanical equipment shall be supported and braced to accommodate seismic forces, is not necessary. The California Building Code and it's referenced standards (e.g. Section 13.6 of ASCE 7) sufficiently address seismic bracing of mechanical and electrical building components.

### **CHAPTER 5**

*Section 505.1.1* - DSA has determined that this amendment, which clarifies that ventilation and product conveying systems shall be supported and braced to accommodate seismic forces, is not necessary. The California Building Code and it's referenced standards (e.g. Section 13.6 of ASCE 7) sufficiently address seismic bracing of mechanical and electrical building components.

### **CHAPTER 6**

*Section 605.3* - DSA has determined that is not appropriate for DSA's Structural Safety Section to adopt this amendment, which specifies that "*cold air ducts shall be insulated wherever necessary or to prevent condensation problems.*" Section 605.0 of the Uniform Mechanical Code address duct insulation requirements.

### **CHAPTER 11**

*Section 1106.2.1* - DSA has determined that this amendment, which clarifies that refrigeration equipment and cooling towers shall be supported and braced to accommodate seismic forces, is not necessary. The California Building Code and it's referenced standards (e.g. Sections 13.6 and 15.4 of ASCE 7) sufficiently address seismic bracing of refrigeration equipment and cooling towers.

### **CHAPTER 12**

*Section 1201.2.6.3* - DSA has determined that this amendment, which clarifies that steam and water piping systems shall be supported and braced to accommodate seismic forces, is not necessary. The California Building Code and it's referenced standards (e.g. Section 13.6 of ASCE 7) address seismic bracing of steam and water piping systems.

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

No technical, theoretical, or empirical studies or reports were used, as Section 18928 of the Health & Safety Code mandates this proposed action.

### **CONSIDERATION OF REASONABLE ALTERNATIVES**

The Division of the State Architect has not considered any reasonable alternatives to the proposed action, as this action is required by law.

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

The Division of the State Architect has not identified any reasonable alternatives to the proposed action, and no adverse impact to small business due to these proposed changes is expected.

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

The Division of the State Architect has no evidence indicating any potential significant adverse impact on business with regard to the proposed action.

**DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

The proposed regulations do not duplicate or conflict with federal regulations.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS.**

(Pursuant to Government Code Section 11346.9(a) (2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).)

The Division of the State Architect has determined that the proposed regulatory action does not impose a mandate on local agencies or school districts.

**OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).**

(Government Code Section 11346.9(a) (3))

No comments were received by DSA during the 45 Day Public Comment Period.

**DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS.**

(Government Code Section 11346.9(a) (4))

The Division of the State Architect has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulations.

**REJECTED PROPOSED ALTERNATIVES THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

(Government Code Section 11346.9(a) (5))

There are no rejected proposed alternatives to identify. This proposal will not have an adverse economic impact on small businesses.

**COMMENTS MADE BY THE OFFICE OF SMALL BUSINESS ADVOCATE.**

(Government Code Section 11347.6)

No comments were received from the Office of Small Business Advocate for this proposal.

**COMMENTS MADE BY THE TRADE AND COMMERCE AGENCY.**

(Government Code Section 11347.6)

No comments were received from the Trade and Commerce Agency for this proposal.