

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

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CALIFORNIA BUILDING STANDARDS COMMISSION

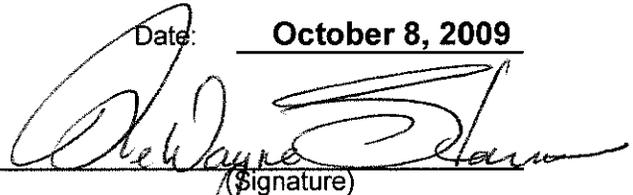
PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 28, 2009
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: OCTOBER 12, 2009

Date: October 8, 2009

From: **DeWayne Starnes, Deputy Director**

Name (Print or type)


(Signature)

County of Sonoma Permit and Resource Management Department

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

2550 Ventura Ave Santa Rosa

CA

95403

Street

City

State

Zip

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

The Agency proposed modifications As Submitted on Section No. **1603A.0 (D) "Exception & 1603A1.1**

and request that this section or reference provision be recommended:

Approved Disapproved Held for Further Study Approved as Amended

Suggested Revisions to the Text of the Regulations:

Amend exception to 1603A.0(D) to indicate that a construction permit MAY be required instead of SHALL be required. Suggested change:

"Exception: A construction permit may not be required for a graywater system supplied by a clothes washer system and/or a single fixture system in compliance with the requirements of Section 1603A1.1."

Amend 1603A1.1 for consistency with the amended exception under Section 1603A.0 (D). Suggested change:

"1603A1.1 Clothes Washer System and/or Single Fixture System. A clothes washer system and/or a single fixture system in compliance with all of the following, may be exempt from the construction permit specified in Section 108.4.1 and may be installed or altered without a construction permit."

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.]

This amendment is requested for the following reasons:

- 1) **People do not understand the local amendment process and will assume that a permit is not required, without knowing to check with their local jurisdiction for local requirements. This will potentially place them in a code enforcement situation immediately. People generally don't read past the point in the code where permission to build without permit has been granted, they will not look for other requirements. This has been our experience. The word "MAY" will tell folks that a permit may, or may not be required, and they will check.**
- 2) **Local jurisdictions need to know where these graywater sites are for notifications regarding education or public health notices and to track parcels where water conservation is taking place.**
- 3) **Jurisdictions need to assure set back requirements to property lines, sensitive receptors such as creeks and rivers, and to existing septic systems so they are not damaged by the installation of a septic system.**
- 4) **When folks come in to get a permit, it gives the local jurisdiction the opportunity to supply them with educational documents on graywater systems, their construction, best practices and the "do's and don't's" of graywater systems. This is critical information for every do-it yourself homeowner wanting to do it right.**

This amendment complies with criteria (1) "the proposed building standards do not conflict with, overlap, or duplicate other building standards", and criteria (3) "The public interest requires the adoption of the building standards", and criteria (4) "The public interest requires the adoption of the building standards", and criteria (5) "The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part".

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.