

**FINAL EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF THE STATE FIRE MARSHAL
REGARDING THE ADOPTION BY REFERENCE OF THE
2011 EDITION OF THE NATIONAL ELECTRICAL CODE
WITH AMENDMENTS INTO THE 2013 CALIFORNIA ELECTRICAL CODE
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 3**

The Office of the State Fire Marshal (SFM) proposes to adopt the 2011 edition of the National Electrical Code (NEC) into the 2013 edition of the California Electrical Code (CEC). SFM further proposes to:

- Repeal the adoption by reference of the 2008 National Electrical Code and incorporate and adopt by reference in its place the 2011 National Electrical Code for application and effectiveness in the 2013 California Electrical Code.
 - Repeal certain amendments to the 2008 National Electrical Code and/or California Building Standards not addressed by the model code that are no longer necessary.
 - Adopt new building standards or necessary amendments to the 2011 National Electrical Code that address inadequacies of the 2011 National Electrical Code as they pertain to California laws.
 - Bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2010 California Building Standards Code.
 - Codify non-substantive editorial and formatting amendments from the format based upon the 2008 National Electrical Code to the format of the 2011 National Electrical Code.
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Legend for Express Terms:

1. **Existing California regulations or amendments brought forward without modification:** *All such text appears in italic font.*
 2. **Model code language with new California amendment:** Model code text is shown in normal Arial 9-point font. California amendments to model code text appear *underlined and in italics.*
 3. **New California regulation or modification to existing California regulation:** New California regulation or modification appear *underlined and in italics.*
 4. **Repealed text:** Shown as ~~*strikeout.*~~
 5. **California amendments that remove model code language:** Shown as ~~*strikeout.*~~
 6. **Notation:** Authority and Reference citations are provided at the end of each chapter.
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[1. The SFM is proposing to maintain the adoption of those existing California provisions contained Sections 89.101 through 89.101.12 with modification.]

**CALIFORNIA ARTICLE 89
GENERAL CODE PROVISIONS**

**SECTION 89.101
GENERAL**

89.101.1 Title. *These regulations shall be known as the California Electrical Code, may be cited as such and will be referred to herein as "this code." The California Electrical Code is Part 3 of twelve parts of the official compilation and publication of the adoption, amendment, and repeal of electrical regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part incorporates by adoption the ~~2008~~2011 National Electrical Code of the National Fire Protection Association with necessary California amendments.*

89.101.2 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; safety to 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.*

89.101.3 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 or structures throughout the State of California.*

89.101.3.1 Nonstate-Regulated Buildings, Structures, and Applications. *Except as modified by local ordinance pursuant to Section 89.101.8, the building standards in the California Code of Regulations, Title 24, Parts 2, 2.5, 3, 4, 5, 6, 9, 10 and 11 shall apply to all occupancies and applications not regulated by a state agency.*

89.101.3.2 State-Regulated Buildings, Structures, and Applications. *The model code, state amendments to the model code, and/or state amendments 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 89.102 through 89.114, except where modified by local ordinance pursuant to Section 89.101.8. 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 Preface 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 89.102 for additional scope provisions.*
2. *Reserved for Corrections Standards Authority. See Section 89.103 for additional scope provisions.*
3. *Reserved for the Department of Consumer Affairs. See Section 89.104 for additional scope provisions.*
4. *Reserved for the California Energy Commission. See Section 89.105 for additional scope provisions.*
5. *Reserved for the Department of Food and Agriculture. See Section 89.106 for additional scope provisions.*
6. *Organized camps, laboratory animal quarters, public swimming pools, radiation protection, commissaries serving mobile food preparation vehicles and wild animal quarantine facilities regulated by the California Department of Public Health (DPH). See Section 89.107 for additional scope provisions.*
7. *Hotels, motels, lodging houses, apartment houses, dwellings, dormitories, condominiums, shelters for homeless persons, congregate residences, employee housing, factory-built housing, and other types of dwellings containing sleeping accommodations with or without common toilets or cooking facilities. See Section 89.108.2.1.1 for additional scope provisions.*
8. *Accommodations for persons with disabilities in buildings containing newly constructed covered multifamily dwellings, new common use spaces serving existing covered multifamily dwellings, additions to existing buildings where the addition alone meets the definition of "COVERED MULTIFAMILY DWELLINGS," and common-use spaces serving covered multifamily dwellings which are regulated by the Department of Housing and Community Development. See Section 89.108.2.1.2 for additional scope provisions.*
9. *Permanent buildings and permanent accessory buildings or structures constructed within mobilehome parks and special occupancy parks regulated by the Department of Housing and Community Development. See Section*

89.108.2.1.3 for additional scope provisions.

10. Accommodations for persons with disabilities regulated by the Division of the State Architect. See Section 89.109.1 for additional scope provisions.

11. Public elementary and secondary schools, community college buildings, and state-owned or state-leased essential service buildings regulated by the Division of the State Architect. See Section 89.109.2 for additional scope provisions.

12. Qualified historical buildings and structures and their associated sites regulated by the State Historical Building Safety Board with the Division of the State Architect. See Section 89.109.3 for additional scope provisions.

13. General acute care hospitals, acute psychiatric hospitals, skilled nursing and/or intermediate care facilities, clinics licensed by the California Department of Public Health (DPH) and correctional treatment centers regulated by the Office of Statewide Health Planning and Development. See Section 89.110 for additional scope provisions.

14. Applications regulated by the Office of the State Fire Marshal include, but are not limited to, the following in accordance with Section 89.111:

1. Buildings or structures used or intended for use as an:

1.1. Asylum, jail, prison.

1.2. Mental hospital, hospital, home for the elderly, children's nursery, children's home or institution, school or any similar occupancy of any capacity.

1.3. Theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building, or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

1.4. Small family day care homes, large family day care homes, residential facilities and residential facilities for the elderly and residential care facilities.

1.5. State institutions or other state-owned or state-occupied buildings.

1.6. High rise structures.

1.7. Motion picture production studios.

1.8. Organized camps.

1.9. Residential structures.

2. Tents, awnings or other fabric enclosures used in connection with any occupancy.

3. Fire alarm devices, equipment and systems in connection with any occupancy.

4. Hazardous materials, flammable and combustible liquids.

5. Public school automatic fire detection, alarm, and sprinkler systems.

6. Wildland-Urban Interface (WUI) fire areas.

15. Reserved for the State Librarian. See Section 89.112 for additional scope provisions.

16. Reserved for the Department of Water Resources. See Section 89.113 for additional scope provisions.

17. Reserved for the California State Lands Commission. See Section 89.114 for additional scope provisions.

89.101.3.3 Exempted from this Code. This code does not cover:

(A) 1. Installations in ships, watercraft other than floating dwelling units, railway rolling stock, aircraft, automotive vehicles, commercial coaches, mobilehomes, and recreational vehicles.

(B) 2. Installations underground in mines, mine shafts and tunnels.

(C) 3. Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communication purposes.

(D) 4. Installation of communication equipment under the exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations.

(E) 5. Installations under the exclusive control of electrical utilities for the purpose of communication, or metering; or for the generation, control, transformation, transmission, and distribution of electrical energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utility or on public highways, streets, roads, etc., or outdoors by established rights on private property.

Exception to (D)4 and (E)5: In places of employment, the following shall apply: installations of conductors, equipment and associated enclosures subject to the jurisdiction of the California Public Utilities Commission, that are owned, operated and maintained by an electric, communications or electric railway utility, but not including conduit, vaults, and other like enclosures containing conductors and equipment of such a utility when located indoors or on premises not used exclusively for utility purposes, but do not apply to the utility's conductors and equipment therein.

(F) 6. Installations on highways or bridges.

89.101.4 Annexes. Provisions contained in the annexes 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 18901 et seq. for Building Standards Law, Health and Safety Code Section 17950 for State Housing Law and Health and Safety Code Section 13869.7 for Fire Protection Districts. See Section 89.101.8 of this code.

89.101.5 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 architectural or engineering practices shall be employed. The National Fire Codes, standards and the Fire Protection Handbook of the National Fire Protection Association are permitted to be used as authoritative guides in determining recognized fire prevention engineering practices.

89.101.6 Non-Building Standards, Orders and Regulations. Requirements contained in the National Electrical Code, or in any other referenced standard, code or document, which are not building standards as defined in Health and Safety Code Section 18909 shall not be construed as part of the provisions of this code. For nonbuilding standards, orders, and regulations, see other titles of the California Code of Regulations.

89.101.7 Order of Precedence and Use.

89.101.7.1 Differences. In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern.

89.101.7.2 Specific Provisions. Where a specific provision varies from a general provision, the specific provision shall apply.

89.101.7.3 Conflicts. When the requirements of this code conflict with the requirements of any other part of the California Building Standards Code, Title 24, the most restrictive requirements shall prevail.

89.101.8 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 89.101.8.1. The effective date of amendments, additions, or deletions to this code by city, county or city and county filed pursuant to Section 89.101.8.1 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.

Local modifications shall comply with Health and Safety Code Section 18941.5 for Building Standards Law, Health and Safety Code Section 17958 for State Housing Law or Health and Safety Code Section 13869.7 for Fire Protection Districts.

89.101.8.1 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, Division of Codes and Standards, P.O. Box 1407, Sacramento, CA 95812-1407 or at 1800 3rd Street, Room 260, Sacramento, CA 95811.

89.101.9 Effective Date of this Code. Only those standards approved by the California Building Standards Commission 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.

89.101.10 Availability of Codes. At least one complete copy each of Titles 8, 19, 20, 24, and 25 with all revisions shall be maintained in the office of the building official responsible for the administration and enforcement of this code. Each state department concerned and each city, county or city and county shall have an up-to-date copy of the code available for public inspection. See Health and Safety Code Section 18942 (d) (1) and (2).

89.101.11 Format. This part fundamentally adopts the 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 make no reference to a specific chapter of the National Electrical Code such chapter of the National Electrical

~~Code is not adopted as a portion of this code.~~

When a specific chapter of the National Electrical Code is not printed in the code and is marked "Reserved" such chapter of the National Electrical Code is not adopted as a portion of this code. When a specific chapter of the National Electrical Code is marked "Not adopted by the State of California" but appears in the code, it may be available for adoption by local ordinance.

Note: Matrix Adoption Tables at the front of each chapter may aid the code user in determining which chapter or sections within a chapter are applicable to buildings under the authority of a specific state agency, but they are not to be considered regulatory.

89.101.12 Validity. If any chapter, article, 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.

Notation:

Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[1.1. The SFM is proposing to maintain the adoption of those existing California provisions contained Sections 89.111 through 89.111.10 without modification.]

**SECTION 89.111
OFFICE OF THE STATE FIRE MARSHAL**

89.111.1 SFM – Office of the State Fire Marshal. 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.

Application:

Institutional, educational or any similar occupancy. Any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, sanitarium, home for the aged, children's nursery, children's home, school or any similar occupancy of any capacity.

Authority cited – Health and Safety Code Section 13143.

Reference – Health and Safety Code Section 13143.

Assembly or similar place of assemblage. Any theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Authority cited – Health and Safety Code Section 13143.

Reference – Health and Safety Code Section 13143.

Small family day care homes.

Authority cited – Health and Safety Code Sections 1597.45, 1597.54, 13143 and 17921.

Reference – Health and Safety Code Section 13143.

Large family day care homes.

Authority cited – Health and Safety Code Sections 1597.46, 1597.54 and 17921.

Reference – Health and Safety Code Section 13143.

Residential facilities and residential facilities for the elderly.

Authority cited – Health and Safety Code Section 13133.

Reference – Health and Safety Code Section 13143.

Any state institution or other state-owned or state-occupied building.

Authority cited – Health and Safety Code Section 13108.

Reference – Health and Safety Code Section 13143.

High-rise structures.

Authority cited – Health and Safety Code Section 13211.

Reference – Health and Safety Code Section 13143.

Motion picture production studios.

Authority cited – Health and Safety Code Section 13143.1.

Reference – Health and Safety Code Section 13143.

Organized camps.

Authority cited – Health and Safety Code Section 18897.3.

Reference – Health and Safety Code Section 13143.

Residential. All hotels, motels, lodging houses, apartment houses and dwellings, including congregate residences and buildings and structures accessory thereto. Multiple-story structures existing on January 1, 1975, let for human habitation, including and limited to, hotels, motels and apartment houses, less than 75 feet (22 860 mm) above the lowest floor level having building access, wherein rooms used for sleeping are let above the ground floor.

Authority cited – Health and Safety Code Sections 13143.2 and 17921.

Reference – Health and Safety Code Section 13143.

Residential care facilities. Certified family care homes, out-of-home placement facilities, halfway houses, drug and/or alcohol rehabilitation facilities and any building or structure used or intended for use as a home or institution for the housing of any person of any age when such person is referred to or placed within such home or institution for protective social care and supervision services by any governmental agency.

Authority cited – Health and Safety Code Section 13143.6.

Reference – Health and Safety Code Section 13143.

Tents, awnings or other fabric enclosures used in connection with any occupancy.

Authority cited – Health and Safety Code Section 13116.

Reference – Health and Safety Code Section 13143.

Fire alarm devices, equipment and systems in connection with any occupancy.

Authority cited – Health and Safety Code Section 13114.

Reference – Health and Safety Code Section 13143.

Hazardous materials.

Authority cited – Health and Safety Code Section 13143.9.

Reference – Health and Safety Code Section 13143.

Flammable and combustible liquids.

Authority cited – Health and Safety Code Section 13143.6.

Reference – Health and Safety Code Section 13143.

Public School Automatic Fire Detection, Alarm and Sprinkler Systems.

Authority cited – Health and Safety Code Section 13143 and California Education Code Article 7.5, Sections

17074.50, 17074.52 and 17074.54.

Reference – Government Code Section 11152.5, Health and Safety Code Section 13143 and California Education Code Chapter 12.5, Leroy F. Greene School Facilities Act of 1998, Article 1.

Wildland-Urban Interface Fire Area.

Authority cited – Health and Safety Code Sections 13143, 13108.5(a) and 18949.2(b) and (c) and Government Code Section 51189.

Reference – Health and Safety Code Sections 13143, Government Code Sections 51176, 51177, 51178 and 51179 and Public Resources Code Sections 4201 through 4204.

89.111.2 Duties and Powers of the Enforcing Agency

89.111.2.1 Enforcement.

89.111.2.1.1 *The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal shall except as provided in Section 89.111.2.1.2 be as follows:*

1. *The city, county or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to Group R-3 occupancies, as described in Section 310.1 of Part 2 of the California Building Standards Code, to either of the following:*

- 1.1. *The chief of the fire authority of the city, county or city and county, or an authorized representative.*
- 1.2. *The chief building official of the city, county or city and county, or an authorized representative.*

2. *The chief of any city or county fire department or of any fire protection district, and authorized representatives, shall enforce within the jurisdiction the building standards and other regulations of the State Fire Marshal, except those described in Item 1 or 4.*

3. *The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in areas outside of corporate cities and districts providing fire protection services.*

4. *The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in corporate cities and districts providing fire protection services on request of the chief fire official or the governing body.*

5. *Any fee charged pursuant to the enforcement authority of this section shall not exceed the estimated reasonable cost of providing the service for which the fee is charged pursuant to Section 66014 of the Government Code.*

89.111.2.1.2 *Pursuant to Health and Safety Code Section 13108, and except as otherwise provided in this section, building standards adopted by the State Fire Marshal published in the California Building Standards Code relating to fire and panic safety shall be enforced by the State Fire Marshal in all state-owned buildings, state-occupied buildings, and state institutions throughout the state. Upon the written request of the chief fire official of any city, county or fire protection district, the State Fire Marshal may authorize such chief fire official and his or her authorized representatives, in their geographical area of responsibility, to make fire prevention inspections of state-owned or state-occupied buildings, other than state institutions, for the purpose of enforcing the regulations relating to fire and panic safety adopted by the State Fire Marshal pursuant to this section and building standards relating to fire and panic safety published in the California Building Standards Code. Authorization from the State Fire Marshal shall be limited to those fire departments or fire districts which maintain a fire prevention bureau staffed by paid personnel.*

Pursuant to Health and Safety Code Section 13108, any requirement or order made by any chief fire official who is authorized by the State Fire Marshal to make fire prevention inspections of state-owned or state-occupied buildings, other than state institutions, may be appealed to the State Fire Marshal. The State Fire Marshal shall, upon receiving an appeal and subject to the provisions of Chapter 5 (commencing with Section 18945) of Part 2.5 of Division 13 of the Health and Safety Code, determine if the requirement or order made is reasonably consistent with the fire and panic safety regulations adopted by the State Fire Marshal and building standards relating to fire and panic safety published in the California Building Code.

Any person may request a code interpretation from the State Fire Marshal relative to the intent of any regulation or provision adopted by the State Fire Marshal. When the request relates to a specific project, occupancy or building, the State Fire Marshal shall review the issue with the appropriate local enforcing agency prior to rendering such code interpretation.

89.111.2.1.3 Pursuant to Health and Safety Code Section 13112, any person who violates any order, rule or regulation of the state fire marshal is guilty of a misdemeanor punishable by a fine of not less than \$100.00 or more than \$500.00, or by imprisonment for not less than six months, or by both. A person is guilty of a separate offense each day during which he or she commits, continues or permits a violation of any provision of, or any order, rule or regulation of, the state fire marshal as contained in this code.

Any inspection authority who, in the exercise of his or her authority as a deputy state fire marshal, causes any legal complaints to be filed or any arrest to be made shall notify the state fire marshal immediately following such action.

89.111.2.2 Right of entry.

The fire chief of any city, county or fire-protection district, or such person's authorized representative, may enter any state institution or any other state-owned or state-occupied building for the purpose of preparing a fire-suppression preplanning program or for the purpose of investigating any fire in a state-occupied building.

The State Fire Marshal, his or her deputies or salaried assistants, the chief of any city or county fire department or fire protection district and his or her authorized representatives may enter any building or premises not used for dwelling purposes at any reasonable hour for the purpose of enforcing this chapter. The owner, lessee, manager or operator of any such building or premises shall permit the State Fire Marshal, his or her deputies or salaried assistants and the chief of any city or county fire department or fire-protection district and his or her authorized representatives to enter and inspect them at the time and for the purpose stated in this section.

89.111.2.3 More Restrictive Fire and Panic Safety Building Standards.

89.111.2.3.1 Any fire-protection district organized pursuant to Health and Safety Code Part 2.7 (commencing with Section 13800) of Division 12 may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code. For these purposes, the district board shall be deemed a legislative body and the district shall be deemed a local agency. Any changes or modifications that are more stringent than the requirements published in the California Building Standards Code relating to fire and panic safety shall be subject to 101.8.1.

89.111.2.3.2 Any fire protection district that proposes to adopt an ordinance pursuant to this section shall, not less than 30 days prior to noticing a proposed ordinance for public hearing, provide a copy of that ordinance, together with the adopted findings made pursuant to Section 89.111.2.3.1, to the city, county, or city and county where the ordinance will apply. The city, county, or city and county, may provide the district with written comments, which shall become part of the fire protection district's public hearing record.

89.111.2.3.3 The fire-protection district shall transmit the adopted ordinance to the city, county, or city and county where the ordinance will apply. The legislative body of the city, county, or city and county, may ratify, modify or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for any modifications or denial. No ordinance adopted by the district shall be effective until ratification by the city, county, or city and county where the ordinance will apply. Upon ratification of an adopted ordinance, the city, county, or city and county, shall file a copy of the findings of the district, and any findings of the city, county, or city and county, together with the adopted ordinance expressly marked and identified to which each finding refers, in accordance with Section 101.8.1:3.

89.111.2.4 Request for alternate means of protection. Requests for approval to use an alternative material, assembly or materials, equipment, method of construction, method of installation of equipment, or means of protection shall be made in writing to the enforcing agency by the owner or the owner's authorized representative and shall be accompanied by a full statement of the conditions. Sufficient evidence or proof shall be submitted to substantiate any claim that may be made regarding its conformance. The enforcing agency may require tests and the submission of a test report from an approved testing organization as set forth in Title 19, California code of Regulation, to substantiate the equivalency of the proposed alternative means of protection.

The authority having jurisdiction may consider implementation of the findings and recommendations identified in a Risk Management Plan (RMP) as developed in accordance with Title 19, Division 2, Chapter 3, when evaluating requests for alternative means of protection.

Approval of a request for use of an alternative material, assembly of materials, equipment, method of construction, method of installation of equipment, or means of protection made pursuant to these provisions shall be limited to the

particular case covered by request and shall not be construed as establishing any precedent for any future request.

89.111.2.5 Appeals. *When a request for an alternate means of protection has been denied by the enforcing agency, the applicant may file a written appeal to the state fire marshal for consideration of the applicant's proposal. In considering such appeal, the state fire marshal may seek the advice of the State Board of Fire Services. The State Fire Marshal shall, after considering all of the facts presented, including any recommendations of the State board of Fire Services, determine if the proposal is for the purposes intended, at least equivalent to that specified in these regulations in quality, strength, effectiveness, fire resistance, durability and safety, and shall transmit such findings and any recommendations to the applicant and to the enforcing agency.*

89.111.3 Construction Documents. *In addition to the provisions of this Section, see Title 24, Part 2, California Building Code, Appendix Chapter 1, Section 106 for additional requirements.*

89.111.3.1 Public schools. *Plans and specifications for the construction, alteration or addition to any building owned, leased or rented by any public school district shall be submitted to the Division of the State Architect.*

89.111.3.2 Movable walls and partitions. *Plans or diagrams shall be submitted to the enforcing agency for approval before the installation of, or rearrangement of, any movable wall or partition in any occupancy. Approval shall be granted only if there is no increase in the fire hazard.*

89.111.3.3 New construction high-rise buildings. *1. Complete plans or specifications, or both, shall be prepared covering all work required to comply with new construction high-rise buildings. Such plans and specifications shall be submitted to the enforcing agency having jurisdiction.*

2. All plans and specifications shall be prepared under the responsible charge of an architect or a civil or structural engineer authorized by law to develop construction plans and specifications, or by both such architect and engineer. Plans and specifications shall be prepared by an engineer duly qualified in that branch of engineering necessary to perform such services. Administration of the work of construction shall be under the charge of the responsible architect or engineer except that where plans and specifications involve alterations or repairs, such work of construction may be administered by an engineer duly qualified to perform such services and holding a valid certificate under Chapter 7 (commencing with Section 65700) of Division 3 of the Business and Professions Code for performance of services in that branch of engineering in which said plans, specifications and estimates and work of construction are applicable.

This section shall not be construed as preventing the design of fire-extinguishing systems by persons holding a C-16 license issued pursuant to Division 3, Chapter 9, Business and Professions Code. In such instances, however, the responsibility charge of this section shall prevail.

89.111.3.4 Existing high-rise buildings. *1. Complete plans or specifications, or both, shall be prepared covering all work required by Section 3412, for existing high-rise buildings. Such plans or specifications shall be submitted to the enforcing agency having jurisdiction.*

2. When new construction is required to conform with the provisions of these regulations, complete plans or specifications, or both, shall be prepared in accordance with the provisions of this subsection. As used in this section "new construction" is not intended to include repairs, replacements or minor alterations which do not disrupt or appreciably add to or affect the structural aspects of the building.

89.111.3.5 Retention of Plans. *Refer to Building Standards Law, Health and Safety Code Sections 19850 and 19851, for permanent retention of plans.*

89.111.4 Fees

89.111.4.1 Other fees. *Pursuant to Health and Safety Code Section 13146.2, a city, county or district which inspects a hotel, motel, lodging house, or apartment house may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county or district, sufficient to pay its costs of that inspection.*

89.111.4.2 Large Family Day Care. *Pursuant to Health and Safety Code Section 1597.46, Large Family Day-care Homes, the local government shall process any required permit as economically as possible, and fees charged for review shall not exceed the costs of the review and permit process.*

89.111.4.3 High-Rise. *Pursuant to Health and Safety Code Section 13217, High-rise Structure Inspection: Fees and Costs, a local agency which inspects a high-rise structure pursuant to Health and Safety Code Section 13217 may charge and collect a fee for the inspection from the owner of the high-rise structure in an amount, as determined by*

the local agency, sufficient to pay its costs of that inspection.

89.111.4.4 Fire Clearance Preinspection. Pursuant to Health and Safety Code Section 13235, Fire Clearance Preinspection, fee; upon receipt of a request from a prospective licensee of a community care facility, as defined in Section 1502, of a residential-care facility for the elderly, as defined in Section 1569.2, or of a child day-care facility, as defined in Section 1596.750, the local fire enforcing agency, as defined in Section 13244, or state fire marshal, whichever has primary jurisdiction, shall conduct a preinspection of the facility prior to the final fire clearance approval. At the time of the preinspection, the primary fire enforcing agency shall price consultation and interpretation of the fire safety regulations, and shall notify the prospective licensee of the facility in writing of the specific fire safety regulations which shall be enforced in order to obtain fire clearance approval. A fee equal to, but not exceeding, the actual cost of the preinspection services may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee equal to, but not exceeding, the actual cost of the preinspection services may be charged for a preinspection of a facility with a capacity to serve 26 or more persons.

89.111.4.5 Care Facilities. The primary fire enforcing agency shall complete the final fire clearance inspection for a community care facility, residential-care facility for the elderly, or child day-care facility within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final preclearance inspection by the State Department of Social Services, whichever is later.

Pursuant to Health and Safety Code Section 13235, a preinspection fee equal to, but not exceeding, the actual cost of the preinspection services may be charged for a facility with a capacity to serve 25 or less clients. A fee equal to, but not exceeding, the actual cost of the preinspection services may be charged for a preinspection of a facility with a capacity to serve 26 or more clients.

Pursuant to Health and Safety Code Section 13131.5, a reasonable final inspection fee, not to exceed the actual cost of inspection services necessary to complete a final inspection may be charged for Occupancies classified as residential care facilities for the elderly (RCFE).

Pursuant to Health and Safety Code Section 1569.84, neither the state fire marshal nor any local public entity shall charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential-care facilities for the elderly (RCFE) which service six or fewer persons.

89.111.4.6 Requests of the Office of the State Fire Marshal. Whenever a local authority having jurisdiction requests that the State Fire Marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.

89.111.5 Inspections. Work performed subject to the provisions of this code shall comply with the inspection requirements of Title 24, Part 2, California Building Standards Code, Sections 109.1, 109.3, 109.3.4, 109.3.5, 109.3.6, 109.3.8, 109.3.9, 109.3.10 109.5 and 109.6 as adopted by the Office of the State Fire Marshal.

89.111.5.1 Existing Group I-1 or R occupancies. Licensed 24-hour care in a Group I-1 or R occupancy in existence and originally classified under previously adopted state codes be reinspected under the appropriate previous code provided there is no change in the use or character which would place the facility in a different occupancy group.

89.111.6 Certificate of Occupancy. A Certificate of Occupancy shall be issued as specified in Title 24, Part 2, California Building Code, Section 111.

Exception: Group R, Division 3 and Group U occupancies.

89.111.7 Temporary Structures and Uses. See Title 24, Part 2, California Building Code, Section 107.

89.111.8 Service Utilities. See Title 24, Part 2, California Building Code Section 112.

89.111.9 Stop Work Order. See Title 24, Part 2, California Building Code, Section 115.

89.111.10 Unsafe Buildings, Structures and Equipment. See Title 24, Part 2, California Building Code, Section 116.

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502,

1597.44, 1597.65, 13108, 13143, 17921, 18949.2
References: Health and Safety Code Sections 13143, 18949.2

[2. The SFM is proposing to not adopt Article 90.]

**ARTICLE 90
INTRODUCTION**

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[3. The SFM is proposing the adoption by reference Articles 100 and 110 with amendment.]

**Chapter 1 General
ARTICLES 100-110**

**ARTICLE 100
Definitions**

Ballasted Solar Photovoltaic System. [SFM] *A roof mounted system composed of panels and supporting members that are unattached or partially attached to the roof and must rely on their weight, aerodynamics and friction to counter the effect of wind and seismic forces.*

**ARTICLE 110
Requirements for Electrical Installations**

SECTION 110.13 MOUNTING AND COOLING OF EQUIPMENT

(A) Mounting. Electrical equipment shall be firmly secured to the surface on which it is mounted. Wooden plugs driven into holes in masonry, concrete, plaster, or similar materials shall not be used.

Exception: [SFM] *Roof mounted ballasted solar photovoltaic systems provided that the wiring and interconnections are designed to accommodate for maximum system displacement.*

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[4. The SFM is proposing the adoption by reference Articles 200, 215, 220, 225, 230, 240, 250, 280, and 285 without amendment.]

[4.1. The SFM is proposing to maintain the existing SFM amendment of Section 210.12(B) without modification.]

**Chapter 2 Wiring and Protection
ARTICLES 200-285**

210.12 Arc-Fault Circuit-Interrupter Protection.

(B) Dwelling Units. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, or similar rooms or areas shall be protected by a listed arc-fault circuit interrupter, combination-type, installed to provide protection of the branch circuit.

FPN No. 1: For information on types of arc-fault circuit interrupters, see UL 1699-1999, *Standard for Arc-Fault Circuit Interrupters*.

FPN No. 2: See ~~44.6.3(5)~~29.6.3(5) of *NFPA 72® 2010, National Fire Alarm Code®*, for information related to secondary power supply requirements for smoke alarms installed in dwelling units.

FPN No. 3: See 760.41(B) and 760.121(B) for power supply requirements for fire alarm systems.

Exception No. 1: Where RMC, IMC, EMT or steel armored cable, Type AC, meeting the requirements of 250.118 using metal outlet and junction boxes is installed for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, it shall be permitted to install a combination AFCI at the first outlet to provide protection for the remaining portion of the branch circuit.

Exception No. 2: Where a branch circuit to a fire alarm system installed in accordance with 760.41(B) and 760.121(B) is installed in RMC, IMC, EMT, or steel armored cable, Type AC, meeting the requirements of 250.118, with metal outlet and junction boxes, AFCI protection shall be permitted to be omitted.

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[5. The SFM is proposing the adoption by reference Articles 300, 310, 312, 314, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 348, 350, 352, 353, 354, 355, 356, 358, 360, 362, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, and 392 without amendment.]

**Chapter 3 Wiring Methods and Materials
ARTICLES 300-398**

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[6. The SFM is proposing the adoption by reference Articles 400, 404, 406, 408, 409, 410, 411, 422, 424, 426, 430, 440, 445, 450, 480, and 490 without amendment.]

**Chapter 4 Equipment for General Use
ARTICLES 400-490**

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[7. The SFM is proposing the adoption by reference Articles 500, 501, 502, 503, 504, 505, 506, 510, 511, 513, 514, 515, 516, 518, 520, 522, 525, 530, 540, 545, 547, 553, 555, and 590 without amendment.]

[7.1. The SFM is proposing the adoption by reference of the entire Article 517 (OSHPD amendment) as

amended.]

[7.2. The SFM is proposing the adoption by reference of the entire Article 590 (except Section 590.3(C)) as amended.]

[7.3. The SFM is proposing to maintain the existing SFM amendment of Section 590.3(C) without modification.]

Chapter 5 Special Occupancies ARTICLES 500-590

590.3 (C.1) Emergencies and Tests. *[SFM] Temporary electrical power and lighting installations shall be permitted during emergencies and for tests, experiments, and developmental work as approved by the authority having jurisdiction.*

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[8. The SFM is proposing the adoption by reference Articles 600, 604, 605, 610, 620, 630, 640, 645, 647, 650, 660, 665, 668, 669, 670, 680, 682, 685, 690, 692, and 695 without amendment.]

[8.1. The SFM is proposing the adoption by reference of the entire Article 625 (except Section 625.29(D)) as amended.]

[8.2. The SFM is proposing to maintain the existing SFM amendment of Section 625-29(E) without modification.]

Chapter 6 Special Equipment ARTICLES 600-695

625.29 (E) Ventilation Required. *[SFM] Where the electric vehicle supply equipment listed or labeled as suitable for charging electric vehicles that require ventilation for indoor charging and marked in accordance with Section 625.15(C), mechanical ventilation, such as fans, shall be provided as specified in the California Building Code.*

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[9. The SFM is proposing the adoption by reference Articles 701, 702, 705, 708, 720, 725, and 770 without amendment.]

[9.1. The SFM is proposing the adoption by reference of the entire Article 700 as amended.]

[9.2. The SFM is proposing to maintain the existing SFM amendment of Section 700.12(B)(2) without modification.]

[9.3. The SFM is proposing the adoption by reference of the entire Article 760 as amended.]

[9.4. The SFM is proposing to maintain the existing SFM amendment of Sections 760.1.1, 760.176(F) and 760.179(G) without modification.]

Chapter 7 Special Conditions ARTICLES 700-770

700.12 (B) (2) Internal Combustion as Prime Movers. Where internal combustion engines are used as the prime mover, an on-site fuel supply shall be provided with an on-premise fuel supply sufficient for not less than 2 hours' full-demand operation of the system. Where power is needed for the operation of the fuel transfer pumps to deliver fuel to

a generator set day tank, this pump shall be connected to the emergency power system.

Exceptions [SFM]

Exception No. 1: [SFM] The on-premise fuel supply shall be sufficient for not less than 24 hours full-demand operation in acute general care hospitals and correctional treatment centers that provide optional services. For acute care hospital facilities required to meet NPC-5, the on-premise fuel supply shall be sufficient for no less than 72 hours full-demand operations.

Exception No. 2: [SFM] The on-premise fuel supply shall be sufficient for not less than 6 hours full-demand operation in the following health facilities of seven or more beds: correctional treatment centers that provide only basic services, acute psychiatric hospitals, intermediate care facilities, and skilled nursing facilities.

Exception No. 3: [SFM] The on-premise fuel supply shall be sufficient for not less than 4 hours full-demand operation in ambulatory surgical clinics.

760.1.1 Equipment and Systems. [SFM] Fire alarm equipment and systems required to be installed in any occupancy within the scope of these regulations shall conform to the applicable performance and construction standards specified in NFPA 72-2010.

760.176 Listing and Marking of NPLFA Cables.

(F) Fire Alarm Circuit Integrity (CI) Cable or Electrical Circuit Protective System. Cables used for survivability of critical circuits shall be listed as circuit integrity (CI) cable. Cables specified in 760.176(C), (D), and (E), and used for circuit integrity shall have the additional classification using the suffix “-CI.” Cables that are part of a listed electrical circuit protective system shall be considered to meet the requirements of survivability.

FPN No. 1: Fire alarm circuit integrity (CI) cable and electrical circuit protective systems may be used for fire alarm circuits to comply with the survivability requirements of *NFPA 72® 2010, National Fire Alarm Code*, ~~6.9.4.3~~24.4.1.8.4.3 and ~~6.9.4.6~~24.4.1.8.4.4, that the circuit maintain its electrical function during fire conditions for a defined period of time.

FPN No. 2: One method of defining circuit integrity (CI) cable is by establishing a minimum 2-hour fire resistance rating for the cable when tested in accordance with UL 2196-1995, *Standard for Tests of Fire Resistive Cables*.

760.179 Listing and Marking of PLFA Cables and Insulated Continuous Line-Type Fire Detectors.

(G) Fire Alarm Circuit Integrity (CI) Cable or Electrical Circuit Protective System. Cables used for survivability of critical circuits shall be listed as circuit integrity (CI) specified in 760.179(D), (E), (F), and (H) and used for circuit integrity shall have the additional classification using the suffix “-CI.” that are part of a listed electrical circuit protective system shall be considered to meet the requirements of survivability.

FPN No. 1: Fire alarm circuit integrity (CI) cable and electrical circuit protective systems may be used for fire alarm circuits to comply with the survivability requirements of *NFPA® 72 2010, National Fire Alarm Code*, ~~6.9.4.3~~24.4.1.8.4.3 and ~~6.9.4.6~~24.4.1.8.4.4, that the circuit maintain its electrical function during fire conditions for a defined period of time.

FPN No. 2: One method of defining circuit integrity (CI) cable is by establishing a minimum 2-hour fire resistance rating for the cable when tested in accordance with UL 2196-1995, *Standard for Tests of Fire Resistive Cables*.

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[10. The SFM is proposing the adoption by reference Articles 800, 810, 820, and 830 without amendment.]

**Chapter 8 Communications Systems
ARTICLES 800-830**

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[11. The SFM is proposing the adoption by reference Tables 1-12 without amendment.]

**Chapter 9
Tables**

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[12. The SFM is proposing the adoption by reference Annex A and Annex B without amendment.]

Annexes

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.65, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2