

**INITIAL EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION
REGARDING PROPOSED CHANGES TO 2019 CALIFORNIA BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2, VOL. 1 AND 2
(BSC 02/18)**

The State agency shall draft the regulations in plain, straightforward language, avoiding technical terms as much as possible and using a coherent and easily readable style. The agency shall draft the regulation in plain English. A notation shall follow the express terms of each regulation listing the specific statutes authorizing the adoption and listing specific statutes being implemented, interpreted, or made specific. (PART 1 – ADMINISTRATIVE CODE)

LEGEND FOR EXPRESS TERMS

1. Model Code language appears upright.
2. Existing California amendments appear in *italics*.
3. Amended model code or new California amendments appear *underlined and in italics*.
4. Repealed model code language appears upright and in ~~strikeout~~.
5. Repealed California amendments appear in *italics* and ~~strikeout~~.

INITIAL EXPRESS TERMS

The California Building Standards Commission (BSC) proposes to adopt the 2018 edition of the International Building Code (IBC) for codification and effectiveness into the 2019 edition of the California Building Code (CBC) as presented in the following pages, including necessary amendments. BSC further proposes to:

Repeal the 2015 edition of the IBC and the 2016 CBC;

Repeal amendments to the model code that are no longer necessary, amend or repeal building standards that are not addressed by a model code;

Relocate or codify existing adopted and necessary amendments to the model code into the format of the model code proposed for adoption, the action of which has no regulatory effect; adopt new necessary amendments to the model code proposed for adoption; and/or

Adopt new building standards that are not addressed by the model code proposed for adoption.

PROPOSED REPEALS, ADOPTIONS AND NEW AMENDMENTS

ITEM 1. CBSC proposes to bring forward existing California amendments in *Chapter 1, Division I, Section 1.1 General*, from the 2016 California Building Code for adoption into the 2019 California Building Code.

CHAPTER 1 SCOPE AND ADMINISTRATION DIVISION I CALIFORNIA ADMINISTRATION

SECTION 1.1 GENERAL

1.1.1 Title. *These regulations shall be known as the California Building Code, may be cited as such and will be referred to herein as "this code." The California Building Code is Part 2 of thirteen parts of the official compilation and publication of the adoption, 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 ~~2015~~ 2018 International Building Code of the International Code Council with necessary California amendments.*

1.1.2 Purpose. *The purpose of this code ...*

...

1.1.3 Scope. *The provisions of this code ...*

1.1.3.2 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 specified in Section s 1.2.0 through 1.14.0, except where modified by local ordinance pursuant to Section 1.1.8. 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.*

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1.1.8.2 Locally Adopted Energy Standards – California Energy Code, Part 6.

In addition to the provision of Section 1.1.8.1 of this part, the provisions of this section apply to cities, counties, and ~~city~~ cities and counties amending adopted energy standards affecting buildings and structures subject to the California Energy Code, Part 6.

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Notation:

Authority: Government Code §14617; Health and Safety Code § 16600, 18928, 18930.5, 18934.5, 18938, 18940.5 & 18941.8

References: Government Code §14617; Health and Safety Code §§16600 & 18901-18949

ITEM 2. CBSC proposes to bring forward existing California amendments in *Chapter 1, Division I, Section 1.2 Building Standards Commission*, from the 2016 California Building Code for adoption into the 2019 California Building Code with the following changes.

SECTION 1.2

BUILDING STANDARDS COMMISSION

1.2.1 BSC *Specific scope of application of the agency responsible for enforcement, the enforcement agency, and the specific authority to...*

...

1.2.2 BSC-CG

...

1. Green buildings standards for nonresidential occupancies.

Application – *All occupancies where no other state agency has the authority to adopt green building standards applicable to those occupancies.*

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

Authority cited – *Health and Safety Code Sections 18930.5, 18938 and 18940.5.*

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

2. Graywater systems for nonresidential occupancies.

Application – *The construction, installation, and alteration of graywater systems for indoor and outdoor uses in nonresidential occupancies*

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

Authority cited – *Health & Safety Code Section 18941.8.*

Reference – *Health & Safety Code Section 18941.8.*

. . .

Notation:

Authority: Government Code §14617; Health and Safety Code § 16600, 18928, 18930.5, 18934.5, 18938 & 18941.8

References: Government Code §14617; Health and Safety Code §§16600 & 18901-18949

ITEM 3. CBSC adopts only those sections listed below in Chapter 1, *Division II SCOPE AND ADMINISTRATION*, and proposes to carry forward existing amendments with modifications for code consistency in *Division II*.

**CHAPTER 1
DIVISION II
SCOPE AND ADMINISTRATION**

. . .

107.2.5 ~~Exterior balconies and elevated walking surfaces elements.~~ Where balconies or other exterior elevated elements walking surfaces are exposed to water from direct or blowing, including but not limited to rain, snow, or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

. . .

~~107.2.7 Exterior elevated element surfaces. [BSC]~~ ~~Where exterior elevated element surfaces are exposed to water from direct or blowing rain, snow, or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.~~

. . .

110.3.6 Weather-exposed balcony and walking surface exterior elevated element waterproofing. Where balconies or other exterior elevated elements walking surfaces are exposed to water from direct or blowing, including but not limited to rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved.

Exception: Where special inspections are provided in accordance with Section 1705.1.1, Item 3.

...

~~**110.3.8.1 Weather-exposed exterior elevated element waterproofing. [BSC] Where exterior elevated elements are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved.**~~

~~**Exception:** Where special inspections are provided in accordance with Section 1705.1.1, Item 3.~~

...

Notation:

Authority: Health and Safety Code § 18924.5, 18928, 18930.5, 18934.5, 18938 & 18941.8

References: Government Code §14617; Health and Safety Code §§16600 & 18901-18949

ITEM 4. CBSC proposes to adopt 2018 IBC, Chapter 2 Definitions with new amendments as shown.

CHAPTER 2 - DEFINITIONS

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EXTERIOR ELEVATED ELEMENTS. Elevated balconies, decks, porches, stairways, landings, walkways, including their supports and railings, extending beyond exterior walls of a building or structure, with a walking surface, and designed for human occupancy or use.

...

Notation:

Authority: Health and Safety Code § 18924.5, 18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 5. CBSC proposes to adopt Chapters 3, 4, 5, 6, 7 of the 2018 IBC without amendment.

**CHAPTER 3
USE AND OCCUPANCY CLASSIFICATION**

. . .

**CHAPTER 4
SPECIAL DETAILED REQUIREMENTS ON USE AND OCCUPANCY**

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**CHAPTER 5
GENERAL BUILDING HEIGHTS AND AREAS**

. . .

**CHAPTER 6
TYPES OF CONSTRUCTION**

. . .

**CHAPTER 7
FIRE AND SMOKE PROTECTION FEATURES**

. . .

Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 6. CBSC proposes to adopt Chapter 8 Interior Finishes of the 2018 IBC, carry forward existing amendment.

**CHAPTER 8
INTERIOR FINISHES
SECTION 801
GENERAL**

801.1 Scope. The provisions of this chapter shall govern the use of materials used as interior finishes, trim and decorative materials. **[BSC-CG]** See *California Green Building Standards Code, Chapter 5, Division 5.5 for additional finish material pollutant control requirements.*

. . .

Notation:

Authority: Health and Safety Code §18928 & 18934.5 18940.5

Reference: Health and Safety Code §§18928, 18928.1, 18934.5, 18938(b) & 18940.5

ITEM 7. CBSC proposes to adopt Chapters 9 and 10 of the 2018 IBC without amendment.

**CHAPTER 9
FIRE PROTECTION SYSTEMS**

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**CHAPTER10
MEANS OF EGRESS**

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Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 8. CBSC does not adopt Chapter 11 Accessibility of the 2018 IBC.

**CHAPTER 11
ACCESSIBILITY**

Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 9. CBSC proposes to adopt Chapter 12 Interior Environment of the 2018 IBC, carry forward existing amendments, and relocate existing amendments due to model code renumbering of chapter.

**CHAPTER 12
INTERIOR ENVIRONMENT**

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~~1205.6~~ 1204.6 Light pollution reduction. [BSC-CG] See California Green Building Standards Code, Chapter 5, Division 5.1 for additional light pollution reduction requirements.

~~1205.7~~ 1204.7 Campus lighting for parking facilities and primary walkways as at California state universities, colleges and community colleges. [BSC] Artificial light shall be provided for...

...

Notation:

Authority: Government Code §14617, Health and Safety Code §18928, 18934.5 & 18940.5

Reference: Government Code §14617, Health and Safety Code §§18928, 18928.1, 18934.5, 18938(b) & 18940.5

ITEM 10. CBSC does not adopt Chapter 13 Energy Efficiency of the 2018 IBC.

**CHAPTER 13
ENERGY EFFICIENCY**

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Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 11. CBSC proposes to adopt Chapter 14 Exterior Walls of the 2018 IBC, carry forward existing amendment without change.

**CHAPTER 14
EXTERIOR WALLS**

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1402.2.1 (formally 1403.2.1) **[BSC-CG]** See California Green Building Standards Code, Chapter 5, Division 5.4 for additional weather protection requirements.

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Notation:

Authority: Health and Safety Code §18928, 18934.5 & 18940.5

References: Health and Safety Code §§18928, 18928.1, 18934.5 & 18940.5

ITEM 12. CBSC proposes to adopt Chapter 15 Roof Assemblies and Roof Top Structures of the 2018 IBC, carry forward existing amendments and move exception to new model code section 1510.7.2

**CHAPTER 15
ROOF ASSEMBLIES AND ROOF TOP STRUCTURES**

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1510.7.2 Photovoltaic panels and modules. Rooftop mounted *photovoltaic* ...

Exception: [BSC] *The effective wind area shall be in accordance with Chapter 16 and ASCE 7 Section 26.2.*

...

Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 13. CBSC adopts Chapter 16 Structural Design of the 2018 IBC, carry forward existing amendments to Table 1607.1, Col. 5 – Balconies and decks, Sections **1613.1.2 State-owned buildings and 1613.1.13 Existing state buildings.**

**CHAPTER 16
STRUCTURAL DESIGN**

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1613.1.1. State-owned structures. *State-owned structures, including those of the University of California, CSU and Judicial Council, shall not be constructed where any portion of the foundation would be within a mapped area of earthquake-induced liquefaction or landsliding or within 50 feet of a mapped fault rupture hazard as established by Section 1803.7.*

1613.1.2 Existing state buildings. *Additions, alterations, repair or change of occupancy category of...*

...

Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 14. CBSC proposes to adopt Chapter 17 Special Inspections and Tests of the 2018 IBC, carry forward existing amendments.

**CHAPTER 17
SPECIAL INSPECTIONS AND TESTS**

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1704.2.3 Statement of special inspections.

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1707.1 General. (BSC) *In the absence of approved rules or other approved standards, the building official shall make, or cause to be made, the necessary tests and*

investigations; or the building official shall accept duly authenticated reports from approved agencies in respect to the quality and manner of use of new materials or assembles as provided for in Section 1.2.12, Chapter 1, Division I. The costs of all tests and other investigations required under the provisions of this code shall be borne by the applicant.

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Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 15. CBSC proposes to adopt Chapter 18 Soils and Foundation of the 2018 IBC, carry forward existing amendment.

**CHAPTER 18
SOILS AND FOUNDATIONS**

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1810.10.3.4 Seismic reinforcement.

...

Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 16. CBSC proposes to adopt Chapter 19 Concrete of the 2018 IBC, carry forward existing amendments.

**CHAPTER 19
CONCRETE**

...

1905.1.2 ACI 318, 1905.1.3 ACI 318, and 1905.1.9~~8~~

...

Notation:

Authority: Health and Safety Code § 16600 18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, 18934.5 & 18938(b)

ITEM 17. CBSC proposes to adopt Chapters 20, 21, 22, 23, 24, 25, and 26 of the 2018 IBC, carry forward existing amendments with modification to Chapter 23 existing amendment.

CHAPTER 20

ALUMINUM

. . .

CHAPTER 21 MASONRY

. . .

CHAPTER 22 STEEL

. . .

CHAPTER 23 WOOD

. . .

~~2304.12.2.6 [BSC] Ventilation required beneath balcony or elevated elements walking surfaces.~~ ~~Enclosed framing in exterior balconies and elevated elements walking surfaces that are exposed to rain, snow, or drainage from irrigation, shall be provided with openings that provide a net free cross-ventilation area not less than 1/150 of the area of each separate space.~~

2304.12.2.6 [BSC] Ventilation beneath of exterior balcony or elevated elements walking surfaces. Enclosed framing in exterior balconies and elevated elements walking surfaces that are exposed to water, including but not limited to, rain, snow or drainage from irrigation shall be provided with openings that provide a net free cross-ventilation area not less than 1/150 of the area of each separate space.

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CHAPTER 24 GLASS AND GLAZING

. . .

CHAPTER 25 GYPSUM BOARD, GYPSUM PANEL PRODUCTS AND PLASTER

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CHAPTER 26 PLASTIC

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Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 18. CBSC does not adopt Chapters 27, 28, and 29 of the 2018 IBC.

**CHAPTER 27
ELECTRICAL**

. . .

**CHAPTER 28
MECHANICAL SYSTEMS**

. . .

**CHAPTER 29
PLUMBING SYSTEMS**

. . .

Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 19. CBSC proposes to adopt Chapter 30 Elevators and Conveying Systems of the 2018 IBC without amendment.

**CHAPTER 30
ELEVATORS AND CONVEYING SYSTEMS**

. . .

Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 20. CBSC only adopts the following sections of Chapter 31 (3109.4.4-3109.6); however, CBSC proposes to amend existing pools safety provisions in Chapter 31 Special Construction as a result of legislation, SB 442 (Chapter 670, Statutes of 2017). Sections 3109.4.4 through 3109.6 contain existing provisions for Swimming Pool Safety Act for private swimming pools (statewide). As a result of SB 442, BSC is proposing to re-format the pool safety regulations with the updated legislative language from SB 442. This format reflects the organization of the updated Pool Safety Act language shown in SB 442.

**CHAPTER 31
SPECIAL CONSTRUCTION**

. . .

~~3109.4.4 Private swimming pools (statewide).~~

~~Sections 3109.4.4.1 through 3109.6 (excluding Section 3109.5 adopted from the model code) contain the text of Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, which has been reprinted in alignment with the existing format of this code.~~

~~NOTE: These regulations are subject to local government modification. You should verify the applicable local government requirements at the time of application for a building permit.~~

~~**Authority:** Health and Safety Code Section 18942(b)~~

~~**Reference:** Health and Safety Code Section 18942(b); Chapter 925, Statutes of 1996~~

~~3109.4.4.1 Definitions.~~

~~As used in this division, the following terms have the following meanings:~~

~~**ANSI/APSP PERFORMANCE STANDARD** means a standard that is accredited by the American National Standards Institute (ANSI) and published by the Association of Pool and Spa Professionals (APSP).~~

~~**APPROVED SAFETY POOL COVER** means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with Standard F 1346-91.~~

~~**ENCLOSURE** means a fence, wall or other barrier that isolates a swimming pool from access to the home.~~

~~**EXIT ALARMS** means devices that make audible, continuous alarm sounds when any door or window that permits access from the residence to the pool area, that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.~~

~~**PUBLIC SWIMMING POOL** means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.~~

~~**SUCTION OUTLET** means a fitting or fixture typically located at the bottom or on the sides of a swimming pool that conducts water to a recirculating pump.~~

~~**SWIMMING POOL or POOL** means any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep. Swimming pool includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas and nonportable wading pools.~~

~~Authority:~~ ~~Health and Safety Code Section 18942(b)~~

~~Reference:~~ ~~Health and Safety Code Section 115921; Chapter 925, Statutes of 1996; Chapter 679, Statutes of 2012~~

3109.4.4.2 Construction permit; safety features required.

~~(a) Except as provided in Section 3109.4.4.5, when a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, the respective swimming pool or spa shall be equipped with at least two of the following seven drowning prevention safety features:~~

- ~~1. An enclosure that meets the requirements of Section 3109.4.4.3 and isolates the swimming pool or spa from the private single-family home.~~
- ~~2. Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.~~
- ~~3. An approved safety pool cover, as defined in Section 3109.4.4.1.~~
- ~~4. Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that "the door to the pool is open."~~
- ~~5. A self-closing, self-latching device with a release mechanism placed no lower than 54 inches (1372 mm) above the floor on the private single-family home's doors providing direct access to the swimming pool or spa.~~
- ~~6. An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.~~
- ~~7. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).~~

~~(b) Before the issuance of a final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention features required by this section and, if no violations are found, shall give final approval.~~

~~**Authority:** Health and Safety Code Section 18942(b)~~

~~**Reference:** Health and Safety Code Section 115922; Chapter 925, Statutes of 1996; Chapter 478, Statutes of 2006; Chapter 670, Statutes 2017~~

3109.4.4.3 Enclosure; required characteristics.

~~An enclosure shall have all of the following characteristics:~~

- ~~1. Any access gates through the enclosure open away from the swimming pool and are self-closing with a self-latching device placed no lower than 60 inches (1524 mm) above the ground.~~
- ~~2. A minimum height of 60 inches (1524 mm).~~
- ~~3. A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches (51 mm).~~
- ~~4. Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 4 inches (102 mm) in diameter.~~
- ~~5. An outside surface free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.~~

~~**Authority:** Health and Safety Code Section 18942(b)~~

~~**Reference:** Health and Safety Code Section 115923; Chapter 925, Statutes of 1996~~

3109.4.4.4 Agreements to build; notice of provisions.

~~(a) Any person entering into an agreement to build a swimming pool or spa, or to engage in permitted work on a pool or spa covered by this article, shall give the consumer notice of the requirements of this article.~~

~~(b) Pursuant to existing law, the Department of Health Services shall have available on the department's web site, commencing January 1, 2007, approved pool safety information available for consumers to download. Pool contractors are encouraged to share this information with consumers regarding the potential dangers a pool or spa poses toddlers. Additionally, pool contractors may provide the consumer with swimming pool safety materials produced from organizations such as the United States Consumer Product Safety Commission, Drowning Prevention Foundation, California Coalition for~~

~~Children's Safety & Health, Safe Kids Worldwide, Association of Pool and Spa Professionals, or the American Academy of Pediatrics.~~

~~**Authority:** Health and Safety Code Section 18942(b)~~

~~**Reference:** Health and Safety Code Section 115924; Chapter 925, Statutes of 1996; Chapter 478, Statutes of 2006~~

3109.4.4.5 Exempt facilities.

~~The requirements of this article do not apply to any of the following:~~

- ~~1. Public swimming pools.~~
- ~~2. Hot tubs or spas with locking safety covers that comply with the American Society for Testing and Materials (ASTM F1346).~~
- ~~3. An apartment complex or any residential setting other than a single-family home.~~

~~**Authority:** Health and Safety Code Section 18942(b)~~

~~**Reference:** Health and Safety Code Section 115925; Chapter 925, Statutes of 1996; Chapter 670, Statutes of 2017~~

3109.4.4.6 Application to facilities regulated by Department of Social Services.

~~This division does not apply to any facility regulated by the State Department of Social Services even if the facility is also used as a private residence of the operator. Pool safety in those facilities shall be regulated pursuant to regulations adopted therefor by the State Department of Social Services.~~

~~**Authority:** Health and Safety Code Section 18942(b)~~

~~**Reference:** Health and Safety Code Section 115926; Chapter 925, Statutes of 1996~~

3109.4.4.7 Modification and interpretation of division.

~~Notwithstanding any other provision of law, this article shall not be subject to further modification or interpretation by any regulatory agency of the state, this authority being reserved exclusively to local jurisdictions, as provided for in Item 7 of Section 3109.4.4.2 and Item 3 of Section 3109.4.4.5.~~

~~**Authority:** Health and Safety Code Section 18942(b)~~

~~**Reference:** Health and Safety Code Section 115927; Chapter 925, Statutes of 1996~~

3109.4.4.8 Construction requirements for building a pool or spa.

~~Whenever a building permit is issued for the construction a new swimming pool or spa, the pool or spa shall meet all of the following requirements:~~

- ~~1. The suction outlets of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa as prescribed in Paragraphs 2 and 3.~~
- ~~2. The swimming pool or spa shall either have at least two circulation suction outlets per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the suction outlets, or be designed to use alternatives to suction outlets including, but not limited to, skimmers or perimeter overflow systems to conduct water to the recirculation pump.~~
- ~~3. The circulation system shall have the capacity to provide a complete turnover of pool water, as specified in Section 3124B of Chapter 31B of the California Building Standards Code (Title 24 of the California Code of Regulations).~~
- ~~4. Suction outlets shall be covered with antientrapment grates, as specified in the ANSI/APSP-16 performance standard or successor standard designated by the federal Consumer Product Safety Commission, that cannot be removed except with the use of tools. Slots of openings in the grates or similar protective devices shall be of a shape, area and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers.~~
- ~~5. Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in subdivisions (1) through (4) above shall meet the standards as published in the document, "Guidelines for Entrapment Hazards: Making Pools and Spas Safer," Publication Number 363, March 2005, United States Consumer Products Safety Commission.~~

Authority: ~~Health and Safety Code Section 18942(b)~~

Reference: ~~Health and Safety Code Section 115928; Chapter 679, Statutes of 2002; Chapter 62, Statutes of 2003; Chapter 478, Statutes of 2006; Chapter 596, Statutes of 2007; Chapter 679, Statutes of 2012~~

~~3109.4.4.9 Suction outlet upgrade requirements during remodel or modification.~~

~~Whenever a building permit is for the remodel or modification of any existing swimming pool, toddler pool, or spa, the permit shall require that the suction outlet or suction outlets of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with antientrapment grates, as specified in the ANSI/APSP-16 performance standard or a successor standard designated by the federal Consumer Product Safety Commission.~~

Authority: ~~Health and Safety Code Section 18942(b)~~

Reference: ~~Health and Safety Code Section 115928.5; Chapter 596, Statutes of 2007, Chapter 679, Statutes of 2012~~

~~...~~

~~3109.6 Informative documents.~~

- ~~1. The Legislature encourages a private entity, in consultation with the Epidemiology and Prevention for Injury Control Branch of the department, to produce an informative brochure or booklet, for consumer use, explaining the child drowning hazards of, possible safety measures for, and appropriate drowning hazard prevention measures for, home swimming pools and spas, and to donate the document to the department.~~
- ~~2. The Legislature encourages the private entity to use existing documents from the United States Consumer Product Safety Commission on pool safety.~~
- ~~3. If a private entity produces the document described in Subdivisions 1 and 2 and donates it to the department, the department shall review and approve the brochure or booklet.~~
- ~~4. Upon approval of the document by the department, the document shall become the property of the state and a part of the public domain. The department shall place the document on its Web site in a format that is readily available for downloading and for publication. The department shall review the document in a timely and prudent fashion and shall complete the review within 18 months of receipt of the document from a private entity.~~

Authority: ~~Health and Safety Code Section 18942(b)~~

Reference: ~~Health and Safety Code Section 115929; Chapter 422, Statutes of 2003~~

(The following is the new format and language for the Swimming Pool Safety Act regulations)

~~...~~

3109.2 California swimming pool safety act (statewide).

The following text in this section contains the statutory language in the Swimming Pool Safety Act (HS Code, §§ 115920 – 115929.) that is required to be duplicated and published in California Code of Regulations, Title 24. As such, the section numbers reflect those within the Health and Safety Code.

115920. This act shall be known and may be cited as the Swimming Pool Safety Act.

(Added by Stats. 1996, Ch. 925, Sec. 3.5. Effective January 1, 1997.)

115921. As used in this article the following terms have the following meanings:

- (a) "Swimming pool" or "pool" means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. "Swimming pool" includes in-ground and aboveground structures and includes, but is not limited to, hot tubs, spas, portable spas, and nonportable wading pools.
 - (b) "Public swimming pool" means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.
 - (c) "Enclosure" means a fence, wall, or other barrier that isolates a swimming pool from access to the home.
 - (d) "Approved safety pool cover" means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with standard F1346-91.
 - (e) "Exit alarms" means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.
 - (f) "ANSI/APSP performance standard" means a standard that is accredited by the American National Standards Institute (ANSI) and published by the Association of Pool and Spa Professionals (APSP).
 - (g) "Suction outlet" means a fitting or fixture typically located at the bottom or on the sides of a swimming pool that conducts water to a recirculating pump.
- (Amended by Stats. 2012, Ch. 679, Sec. 1. (AB 2114) Effective January 1, 2013.)

115922. (a) Except as provided in Section 115925, when a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, the respective swimming pool or spa shall be equipped with at least two of the following seven drowning prevention safety features:

- (1) An enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home.
- (2) Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.
- (3) An approved safety pool cover, as defined in subdivision (d) of Section 115921.
- (4) Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that "the door to the pool is open."
- (5) A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family home's doors providing direct access to the swimming pool or spa.

(6) An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.

(7) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).

(b) Before the issuance of a final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention features required by this section and, if no violations are found, shall give final approval.

(Amended by Stats. 2017, Ch. 670, Sec. 4. (SB 442) Effective January 1, 2018.)

115923. An enclosure shall have all of the following characteristics:

(a) Any access gates through the enclosure open away from the swimming pool, and are self-closing with a self-latching device placed no lower than 60 inches above the ground.

(b) A minimum height of 60 inches.

(c) A maximum vertical clearance from the ground to the bottom of the enclosure of two inches.

(d) Gaps or voids, if any, do not allow passage of a sphere equal to or greater than four inches in diameter.

(e) An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

(Added by Stats. 1996, Ch. 925, Sec. 3.5. Effective January 1, 1997.)

115924. (a) Any person entering into an agreement to build a swimming pool or spa, or to engage in permitted work on a pool or spa covered by this article, shall give the consumer notice of the requirements of this article.

(b) Pursuant to existing law, the Department of Health Services shall have available on the department's Web site, commencing January 1, 2007, approved pool safety information available for consumers to download. Pool contractors are encouraged to share this information with consumers regarding the potential dangers a pool or spa poses to toddlers. Additionally, pool contractors may provide the consumer with swimming pool safety materials produced from organizations such as the United States Consumer Product Safety Commission, Drowning Prevention Foundation, California Coalition for Children's Safety & Health, Safe Kids Worldwide, Association of Pool and Spa Professionals, or the American Academy of Pediatrics.

(Amended by Stats. 2006, Ch. 478, Sec. 3. Effective January 1, 2007.)

115925. The requirements of this article do not apply to any of the following:

(a) Public swimming pools.

(b) Hot tubs or spas with locking safety covers that comply with the American Society for Testing and Materials (ASTM F1346).

(c) An apartment complex, or any residential setting other than a single-family home.

(Amended by Stats. 2017, Ch. 670, Sec. 5. (SB 442) Effective January 1, 2018.)

115926. This article does not apply to any facility regulated by the State Department of Social Services even if the facility is also used as the private residence of the operator. Pool safety in those facilities shall be regulated pursuant to regulations adopted therefor by the State Department of Social Services.

(Added by Stats. 1996, Ch. 925, Sec. 3.5. Effective January 1, 1997.)

115927. Notwithstanding any other provision of law, this article shall not be subject to further modification or interpretation by any regulatory agency of the state, this authority being reserved exclusively to local jurisdictions, as provided for in subdivision (e) of Section 115922 and subdivision (c) of Section 115924.

(Added by Stats. 1996, Ch. 925, Sec. 3.5. Effective January 1, 1997.)

115928. Whenever a building permit is issued for the construction of a new swimming pool or spa, the pool or spa shall meet all of the following requirements:

(a) (1) The suction outlets of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa as prescribed in paragraphs (2) and (3).

(2) The swimming pool or spa shall either have at least two circulation suction outlets per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the suction outlets, or be designed to use alternatives to suction outlets, including, but not limited to, skimmers or perimeter overflow systems to conduct water to the recirculation pump.

(3) The circulation system shall have the capacity to provide a complete turnover of pool water, as specified in Section 3124B of Chapter 31B of the California Building Standards Code (Title 24 of the California Code of Regulations).

(b) Suction outlets shall be covered with antientrapment grates, as specified in the ANSI/APSP-16 performance standard or successor standard designated by the federal Consumer Product Safety Commission, that cannot be removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers.

(c) Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in subdivisions (a) and (b) shall meet the standards as published in the document, "Guidelines for Entrapment Hazards:

Making Pools and Spas Safer,” Publication Number 363, March 2005, United States Consumer Product Safety Commission.

(Amended by Stats. 2012, Ch. 679, Sec. 2. (AB 2114) Effective January 1, 2013.)

115928.5. *Whenever a building permit is issued for the remodel or modification of an existing swimming pool, toddler pool, or spa, the permit shall require that the suction outlet or suction outlets of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with antientrapment grates, as specified in the ANSI/APSP-16 performance standard or a successor standard designated by the federal Consumer Product Safety Commission.*

(Amended by Stats. 2012, Ch. 679, Sec. 3. (AB 2114) Effective January 1, 2013.)

115929. *(a) The Legislature encourages a private entity, in consultation with the Epidemiology and Prevention for Injury Control Branch of the department, to produce an informative brochure or booklet, for consumer use, explaining the child drowning hazards of, possible safety measures for, and appropriate drowning hazard prevention measures for, home swimming pools and spas, and to donate the document to the department.*

(b) The Legislature encourages the private entity to use existing documents from the United States Consumer Product Safety Commission on pool safety.

(c) If a private entity produces the document described in subdivisions (a) and (b) and donates it to the department, the department shall review and approve the brochure or booklet.

(d) Upon approval of the document by the department, the document shall become the property of the state and a part of the public domain. The department shall place the document on its Web site in a format that is readily available for downloading and for publication. The department shall review the document in a timely and prudent fashion and shall complete the review within 18 months of receipt of the document from a private entity.

(Added by Stats. 2003, Ch. 422, Sec. 3. Effective January 1, 2004.)

Notation:

Authority: Health and Safety Code Section 18942(b)

Reference(s): Health and Safety Code Section 115920 - 115929

ITEM 21. CBSC proposes to adopt Chapter 32 Encroachments into the Public Right-of-Way of the 2018 IBC without amendment.

CHAPTER 32

ENCROACHMENT INTO THE PUBLIC RIGHT-OF-WAY

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Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 22. CBSC proposes to adopt Chapter 33 Safeguards during Construction of the 2018 IBC without amendment.

**CHAPTER 33
SAFEGUARDS DURING CONSTRUCTION**

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Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 23. CBSC proposes to adopt Chapter 35 Referenced Standards of the 2018 IBC without amendment.

**CHAPTER 35
REFERENCED STANDARDS**

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Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5

ITEM 24. CBSC proposes to not adopt Appendix Chapters A, B, C, D, E, F, G, H, I, J, K, L, M, and N of the 2018 International Building Code.

Notation:

Authority: Health and Safety Code §18928 & 18934.5

References: Health and Safety Code §§18928, 18928.1, & 18934.5