

**INITIAL STATEMENT OF REASONS**  
**FOR**  
**PROPOSED BUILDING STANDARDS**  
**OF THE**  
**CALIFORNIA BUILDING STANDARDS COMMISSION**

**REGARDING THE CALIFORNIA EXISTING BUILDING CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10**

**(BSC 05/18)**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS:**  
(Government Code Section 11346.2(b)(1))

The California Building Standards Commission (BSC) proposes to repeal the 2015 International Existing Building Code (IEBC), and the 2016 California Existing Building Code (CEBC).

In addition, H&SC Section 18934.5 assures that the commission shall adopt, approve, codify and publish building standards for those occupancies under the Building Standards Commission (BSC) authority. These actions meet criteria (3), in the public interest, and (7), incorporation of model codes, of H&SC Section 18930(a). BSC proposes to adopt specific provisions of the 2018 IEBC, which is the most recent edition of the model code, with necessary state amendments for codification and effectiveness into the 2019 edition of the CEBC. This action is to meet the requirements of Health and Safety Code (H&SC) Section 18928 assuring adoption of the most recent edition of model code within one year of its publication.

The BSC's Coordinating Council met November 14, 2017 to discuss and coordinate. Most state agencies would propose adoption of certain Part 10 provisions, some chapters not intended to be adopted at all, but will be printed such that local enforcing agencies may adopt some or all of those chapters.

Health and Safety Code Section 18934.7 requires BSC to adopt, approve, codify, and publish by reference in the California Building Standards Code the building standards in model code Appendix Chapter A1 of the Uniform Code for Building Conservation of the International Conference of Building Officials to provide minimum standards for existing unreinforced masonry (URM) bearing wall buildings. BSC proposes to adopt Appendix A1 of the 2018 IEBC for inclusion in the 2019 CEBC. In 1986, California enacted legislation requiring local governments in Seismic Zone 4 to inventory their URM

buildings. In addition, the law required that local governments establish loss reduction programs for URM buildings and report to the state the progress of their programs. In their recent report cited below, the Seismic Safety Commission (SSC) recommended that the state adopt the International Existing Building Code (IEBC) as the base model code as one means of improving results.

**The following item numbers are used to coordinate with the items listed in the Express Terms. These items contain specific purpose, problem, rationale and benefits for each item as follows:**

**ITEM 1. CHAPTER 1/DIVISION I – SECTION 1.1 GENERAL, and SECTION 1.2 BUILDING STANDARDS COMMISSION**

**Specific Purpose, problem, rationale and benefit:** Section 1.1 outlines the purpose and scope for which this code is applied in California, similar to those contained in the other Parts of Title 24. The California Building Standards Commission is the state agency with the responsibility for maintaining the format of the published codes, including the effective date, code availability, format and validity. Administration and scoping regulations specific to California state agencies reside in Chapter 1, thus are being carried forward from the previous edition.

Section 1.2 provides the specific scope for the application of this code to the occupancies for which BSC has authority. This section includes the scope and application of the BSC banner and scope and application for a BSC-CG [Building Standards Commission–California Green Building Standards Code (CALGreen)] banner. Item 1 includes an amendment reflecting BSC’s added authority for graywater systems within CALGreen, for nonresidential occupancies. Just as with green buildings standards, this amendment establishes application, enforcing agency, authority and reference for such graywater systems.

These regulations, proposed and carried forward, are intended for code consistency and clarity for the code user.

**ITEM 2. CHAPTER 1/DIVISION II – SECTION 101 GENERAL**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward only Section 101.8 Maintenance, without further amendment. This provision continues the authority for the building official to re-inspect in order to determine maintenance compliance. The provision was previously removed from the model code for placement in a property maintenance code, which California does not adopt. Thus, BSC has reproduced the text from Section 3401.2 of the 2013 CEBC to create this provision.

**ITEM 3. CHAPTER 1/DIVISION II – SECTION 106 CONSTRUCTION DOCUMENTS**

**Specific Purpose, problem, rationale and benefit:** BSC had adopted under an emergency, Section 106.2.6, for exterior balconies and elevated walking surfaces, then referred to as “exterior elevated elements”. The model code has now published a

provision, similar to the emergency provision, as Section 106.2.5; thus, BSC proposes to repeal its California amendment, and in its place, adopt the model language. This proposal is a result of topics discussed at a February 16 workshop, dealing with the subject of exterior elevated elements.

CAC Recommendation: The BFO CAC recommended further study for a similar proposal within Part 2, and the SDLF CAC aligned with that recommendation, at BSC's request, to address whether the use of only the term "water" is appropriate. CAC suggestions included looking at the inclusion of "vapor" and "moisture", as additional terms to be incorporated.

Agency Response: The three co-adopting agencies met, regarding the term "water". The agencies concluded that the use of "water" is fundamental to all other further-compartmenting terms. "Water," whether in a solid or gaseous state, will be at some point a liquid, which is the culprit in penetration of assemblies, and the target of these provisions. Additionally, since the term is from model language, the thinking is that the concept of using only the term "water" has been thoroughly vetted. The conclusion of the agencies is to leave the proposed language regarding "water" as it currently appears in the ET, reflecting model text.

#### **ITEM 4. CHAPTER 1/DIVISION II – SECTION 109 INSPECTIONS**

**Specific Purpose, problem, rationale and benefit:** BSC had adopted under an emergency, Section 109.3.7.1, for exterior balconies and elevated walking surfaces, then referred to as "exterior elevated elements". The model code has now published a provision, similar to the emergency provision, as Section 109.3.6; thus, BSC proposes to repeal its California amendment, and in its place, adopt the model language. This proposal is a result of topics discussed at a February 16 workshop, dealing with the subject of exterior elevated elements.

CAC Recommendation: The BFO CAC recommended further study for a similar proposal within Part 2 and the SDLF CAC aligned with that recommendation, at BSC's request, to address whether the use of only the term "water" is appropriate. CAC suggestions included looking at the inclusion of "vapor" and "moisture", as additional terms to be incorporated.

Agency Response: The three co-adopting agencies met, regarding the term "water". The agencies concluded that the use of "water" is fundamental to all other further-compartmenting terms. "Water," whether in a solid or gaseous state, will be at some point a liquid, which is the culprit in penetration of assemblies, and the target of these provisions. Additionally, since the term is from model language, the thinking is that the concept of using only the term "water" has been thoroughly vetted. The conclusion of the agencies is to leave the proposed language as it currently appears in the ET, reflecting model text.

#### **ITEM 5. CHAPTER 2 DEFINITIONS**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt the entire chapter, carrying forward previous amendments.

CAC Recommendation: The SDLF CAC asked why response acceleration parameters “C” and “R” were continuing to be adopted, as amendments, in lieu of adopting other designations in alignment with ASCE. This item is related to Items 12 and 14.

Agency Response: BSC reviewed the comment, and will retain the definitions. See Item 12.

## **ITEM 6. CHAPTER 2 DEFINITIONS**

**Specific Purpose, problem, rationale and benefit:** As in other parts of the California Building Standards Codes, terms used in Part 10 (having specific meaning to the content within the Part) necessitate adoption, for reasons of clarity and correct interpretation. The terms “balcony” and “walking surface”, used in the emergency named in Items 3 and 4, have caused unintended application, in some instances. Thus, the term “exterior elevated element” (EEE) was contemplated to be defined, and would have presumably targeted the correct applications. This proposal is a result of topics discussed at a February 16 workshop, dealing with the subject of exterior elevated elements, and further considerations given to the issue, initiated by CAC comments.

CAC Recommendation: Short-term further study. The SDLF CAC mirrored, at BSC’s request, the question raised at BFO CAC, that concerns addressing “height above grade”. This phrase is a reference to SB721, currently being considered by the Legislature. It seeks to define “exterior elevated elements,” in establishing an inspection program for the existing built environment, and in doing so names a variety of assemblies to be assigned the moniker. That definition establishes a height above grade at which program requirements become effective. The CAC inquired why the proposed definition of EEE did not include such a height trigger.

Agency Response: BSC agreed to review the proposed definition. The co-adopting agencies were intending to borrow the term “exterior elevated elements” to define new (including when such are added or renovated) construction, but did not have the necessity for a height trigger (inspection program driven), nor the use of all the assembly descriptors used in SB 721. The model, in its 2018 published language, chose to include two terms for pertinent Sections 106.2.5, 109.3.6: “balcony” and “elevated walking surfaces,” which differed from earlier versions that were not fully satisfactory to the agencies; but with the published phrasing as, “balconies or other elevated walking surfaces”, the agencies feel that the model carries enough text to adequately define the variety of assemblies being scoped for the provisions. Additionally, the avoidance of defining “EEE” eliminates any confusion in terminology between SB721’s definition and what the agencies are seeking to produce. Thus, the proposal to define ‘exterior elevated elements’ has been withdrawn.

## **ITEM 7. CHAPTER 3 PROVISIONS FOR ALL COMPLIANCE METHODS – SECTION 301.1 GENERAL**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward the existing amendment for existing state structures, describing the general administration of actions for scopes under BSC authority, presented as an exception. This continues to provide clarity, ensuring correct application, and continues to state that local jurisdictions have opportunity to adopt specific sections, aimed at evaluation and design for the retrofit of existing buildings.

**ITEM 8. CHAPTER 3 PROVISIONS FOR ALL COMPLIANCE METHODS – SECTION 302.2.1 Dangerous Conditions**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing amendment Section 401.4, renumbered as 302.2.1, (due to a change in chapter location at the model level). The provision continues as an override to the model language, for scopes under BSC authority. Since the model relocated its similar provision 401.3 to a more general chapter covering all methods, BSC followed suit with its amended version.

**ITEM 9, and 10. CHAPTER 3 PROVISIONS FOR ALL COMPLIANCE METHODS – SECTIONS 303.1, 303.2 and 304**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt existing amendments 317 through 322, with further amendment, beginning with Item 11. 2016 CEBC reserves Sections 303 through 312. The 2018 IEBC has continued and amended its Sections 303, 304, and 305, moving provisions from other chapters into those sections. BSC adopts portions of some of those sections, with further amendments.

Further amendments include:

Item 9: Section 303 / Structural Design Loads and Evaluation and Design Procedures, which is a new model code provision and contains equivalent language to the 2016 CEBC Sections 402.3.1 and 403.3.1, concerning live loads for additions and alterations, now located in Section 303.1. A provision for snow load is separately stipulated in Section 303.2. Both new model sections carry out the intent of the previous two adopted sections, and thus are adopted.

Item 10: Section 304 / In-Situ Load Tests is a new model code provision, and serves as a pointer to Section 1708 of CBC, to fully describe the testing process for an existing structure, such that compliance can be met with Sections 317 through 322 of CEBC.

**ITEM 11. CHAPTER 3 – Sections 317.1 through 317.4**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing amendments 317.1 through 317.4. The sections continue the minimum standards for earthquake evaluation and design for existing building retrofits of state structures.

**ITEM 12. CHAPTER 3 – Section 317.5 Minimum seismic design performance levels for structural and nonstructural components**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing amendments, but also amend to reflect a new nonstructural performance level

adopted into ASCE 41-17; this editorial change coordinates the 2019 CEBC with ASCE 41-17.

CAC Recommendation: Short-term further study. CAC suggested the table parameters be adjusted for BSC scope authority, per note in Item 14. CAC also suggested addressing the impact of the new “N-D” hazards reduced nonstructural performance level.

Agency Response: BSC disagrees with the first suggestion; the table entries are a continued amendment, and have not been through a workshop -- not being addressed this cycle. The second suggestion has validity; in response, BSC added language to footnote 1 of Table 317.5, clarifying limits for evaluation efforts for the N-D hazards-reduced nonstructural performance level.

**ITEM 13. CHAPTER 3 – Sections 317.6 through 317.11**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing 2016 CEBC amendment Sections 317.6 through 317.11. The sections continue the minimum standards for earthquake evaluation and design for existing building retrofits of state structures.

**ITEM 14. CHAPTER 3 – SECTION 318 DEFINITIONS**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing 2016 CEBC amendment Section 318. This editorial change carries out the intention discussed in Item 12.

CAC Recommendation: Short-term further study. CAC suggested the existing BSE-C and BSE-R parameters be replaced for BSC scope authority, with BSE-1E and BSE-2E parameters.

Agency Response: BSC disagrees with the suggestion; the defined terms BSE-C and BSE-R are a continued amendment, and have not been through a workshop -- not being addressed this cycle.

**ITEM 15. CHAPTER 3 – Section 319.1 Basis for evaluation and design.**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing 2016 CEBC amendment Section 319.1, as amended. This exception updates the CBC version from 2007 to 2013, such that a building constructed under the 2013 CBC need only be retrofitted to comply with 2013 CBC, rather than ASCE 41-17, staying within two code cycles of the 2019 CEBC.

**ITEM 16. CHAPTER 3 – Section 319.1.1**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing 2016 CEBC amendment Section 319.1.1, and repeal item 2. The 2016 CEBC erroneously adopted item 2 / Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light Wood-frame, Residential Buildings. Residential does not lie within BSC authority.

**ITEM 17. CHAPTER 3 – Sections 319.1.2 – 319.8**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing 2016 CEBC amendment Sections 319.1.2 through 319.8. The sections continue the minimum standards for earthquake evaluation and design for existing building retrofits of state structures.

**ITEM 18. CHAPTER 3 – Section 319.9**

BSC proposes to carry forward existing 2016 CEBC amendment Section 319.9, as amended. This editorial change carries out the intention discussed in Item 12.

**ITEM 19. CHAPTER 3 – Sections 319.10 – 319.12.2**

BSC proposes to carry forward existing 2016 CEBC amendment Sections 319.10 through 319.12.2. The sections continue the minimum standards for earthquake evaluation and design for existing building retrofits of state structures.

**ITEM 20. CHAPTER 3 – Sections 320 - 322**

BSC proposes to carry forward existing 2016 CEBC amendment Sections 320 through 322. The sections continue the minimum standards for earthquake evaluation and design for existing building retrofits of state structures.

**ITEM 21. CHAPTER 4 REPAIRS – SECTION 401.1.1 Scope**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing 2016 CEBC Section 404.1/ Exception, as amended, renumbered as Section 401.1.1. The Section 404/ Repairs was removed from the **Prescriptive Compliance Method** chapter, in the model code, and integrated into the **Repairs** chapter. Thus, BSC proposes to bring forward this portion of the section into the 2019 Chapter 4 Repairs, in order to continue the intent of existing provisions concerning repairs, stipulated in the 2016 Chapter 4 Prescriptive Compliance Method.

CAC Recommendation: Short-term further study. CAC suggested BSC coordinate with HCD regarding a change in reference to Chapter 12 to be to the California Historic Building Code, within Section 401.1 (not BSC proposed).

Agency Response: BSC conferred with HCD. See also HCD's Item 5 in their package 05/18. No net change to BSC's item.

**ITEM 22. CHAPTER 4 REPAIRS – SECTION 401.3 Flood Hazard Areas and 405.2.5 Flood Hazard Areas**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to replicate the intention of existing 2016 CEBC Section 404.5 / Flood hazard areas, now separated into two sections by the model code, covering two aspects; repairs that constitute “substantial improvement” and repairs of “substantial damage”, renumbered as Sections 401.3 and 405.2.5 respectively. The 2016 Section 404 / Repairs has been removed from the **Prescriptive Compliance Method** chapter, in the model code, and integrated into the **Repairs** chapter. Thus, BSC proposes to adopt, with amendments, these sections of 2019 Chapter 4 / Repairs, in order to continue the intent of existing provisions concerning repairs, stipulated in the 2016 Chapter 4 / Prescriptive Compliance Method.

**ITEM 23. CHAPTER 5 – Section 501 - GENERAL - Section 501.1 Scope**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 501.1, and carry forward existing 2016 CEBC amendments of Section 401.1, as amended, renumbered as Section 501.1. The model code has revised the

chapter for **Prescriptive Compliance Method** to address only alterations, additions, and change of occupancy. Repairs and relocation scopes have been removed and relocated. BSC recognizes this, in carrying forward its amendment. BSC removes the model reference to historic buildings, since that scope is covered under Part 8.

**ITEM 24. CHAPTER 5 – Section 501 GENERAL - Section 501.1.2 Existing state-owned structures**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward existing 2016 CEBC amendment, as Section 501.1.2. This provision continues to point to sections in Chapter 3 for the evaluation and design for retrofit of existing state-owned structures.

**ITEM 25. CHAPTER 5 – Section 502 ADDITIONS – 502.1 General**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 502.1, and carry forward existing 2016 CEBC Section 402.1 amendments, including exception, as amended. The provision brings forward code references and updates section references to reflect chapter relocation.

**ITEM 26. CHAPTER 5 – Section 502 ADDITIONS - 502.3 Flood hazard areas**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 502.3 and carry forward existing 2016 CEBC Section 402.2 amendments. The provision brings forward code references, and updates references to reflect chapter relocation.

**ITEM 27. CHAPTER 5 – Section 502 ADDITIONS - 502.4 Existing structural elements carrying gravity load.**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 502.4 and carry forward existing 2016 CEBC Section 402.3 amendments. The provision brings forward code references, and updates references to reflect chapter relocation.

**ITEM 28. CHAPTER 5 – Section 503 ALTERATIONS - Section 501.1 General**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 503.1, and carry forward existing 2016 CEBC Section 403.1 amendment *Exception 3*, as amended. The provision brings forward code references and updates references to reflect chapter relocation.

**ITEM 29. CHAPTER 5 – Section 503 ALTERATIONS - Section 503.2 Flood hazard areas.**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 503.2, and carry forward existing 2016 CEBC Section 403.2 amendments. The provision brings forward code references, and updates references to reflect chapter relocation.

**ITEM 30. CHAPTER 5 – Section 503 ALTERATIONS - Section 503 Existing structural elements carrying gravity load.**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 503.3 with amendments. The provision establishes correct code references, and updates references to reflect chapter relocation.

**ITEM 31. CHAPTER 5 – Section 506 CHANGE OF OCCUPANCY - Section 506.1 Compliance.**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 506.1, including 506.1.1, and carry forward existing 2016 CEBC Section 407.1 through 407.1.1 amendments. The provision brings forward code references and updates section references.

**ITEM 32. CHAPTER 5 – Section 506 CHANGE OF OCCUPANCY - Section 506.2 Certificate.**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 506.2. The provision updates section references.

**ITEM 33. CHAPTER 5 – Section 506 CHANGE OF OCCUPANCY - Section 506.3 Stairways.**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt 2018 IEBC Section 506.3, with existing 2016 CEBC amendments carried forward. The provision brings forward code references.

**ITEM 34. CHAPTER 5 – Section 506 CHANGE OF OCCUPANCY - Section 506.4 Structural.**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to carry forward 2016 CEBC Section 407.4 existing Exception 3 amendment, renaming it as Exception to 2018 IEBC Section 506.4, with further amendments. The provision updates code references.

**ITEM 35. CHAPTER 6 – CLASSIFICATION OF THE WORK**

**Specific Purpose, problem, rationale and benefit:** BSC does not adopt Chapter 6 of 2018 IEBC (chapter 5 of 2016 CEBC). BSC has proposed to adopt Chapter 4 / Prescriptive Compliance Method, as the only acceptable method for compliance, for scopes within BSC's authority.

**ITEM 36. CHAPTERS 7, 8, & 9 – ALTERATIONS, LEVELS 1, 2, & 3**

**Specific Purpose, problem, rationale and benefit:** BSC does not adopt Chapters 7, 8, 9 of 2018 IEBC. These chapters are related to the "Work Area Method", described in Chapter 6 / **Classification of Work**. Since Chapter 6 is not adopted, Chapters 7, 8, and 9 are not adopted.

**ITEM 37. CHAPTER 10 – CHANGE OF OCCUPANCY**

**Specific Purpose, problem, rationale and benefit:** BSC does not adopt Chapter 10 of 2018 IEBC. Provisions for occupancy change are covered in Section 506, within Chapter 5 / **Prescriptive Compliance Method**. The "Work Area Method", described in Chapter 6 / **Classification of Work** refers to this chapter; Chapter 6 is not adopted by BSC.

### **ITEM 38. CHAPTER 11 – ADDITIONS**

**Specific Purpose, problem, rationale and benefit:** BSC does not adopt Chapter 11 of 2018 IEBC. Provisions for additions are covered in Section 502, within Chapter 5 / **Prescriptive Compliance Method**. The “Work Area Method”, described in Chapter 6 / **Classification of Work** refers to this chapter; Chapter 6 is not adopted by BSC.

### **ITEM 39. CHAPTER 12 – HISTORIC BUILDINGS**

**Specific Purpose, problem, rationale and benefit:** BSC does not adopt Chapter 12 of 2018 IEBC. Part 8 of Title 24 addresses historic buildings completely.

### **ITEM 40. CHAPTER 13 – PERFORMANCE COMPLIANCE METHODS**

**Specific Purpose, problem, rationale and benefit:** BSC does not adopt Chapter 13 of 2018 IEBC. BSC has proposed to adopt Chapter 5 / **Prescriptive Compliance Method**, as the only acceptable method for compliance, for scopes within BSC’s authority.

### **ITEM 41. CHAPTER 14 – RELOCATED OR MOVED BUILDINGS**

**Specific Purpose, problem, rationale and benefit:** BSC does not adopt Chapter 14 of 2018 IEBC. Relocations are covered in Section 317.6, as “alterations”, for scopes within BSC’s authority.

### **ITEM 42. CHAPTER 15 – CONSTRUCTION SAFEGUARDS**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt Chapter 15 of 2018 IEBC. This provides consistency with Chapter 33 of 2016 Part 2 CBC, that BSC also adopts.

### **ITEM 43. CHAPTER 16 – REFERENCED STANDARDS**

**Specific Purpose, problem, rationale and benefit:** BSC proposes to adopt Chapter 16 of 2018 IEBC. This provides consistency with Chapter 35 of 2016 Part 2 CBC, and identifies appropriate references contained within the text of Part 10 for BSC authority.

### **ITEM 44. CHAPTER A1–SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED MASONRY BEARING WALL BUILDINGS**

#### **Specific Purpose, problem, rationale and benefit:**

BSC proposes to repeal Appendix Chapter 1 of the 2015 International Existing Building Code and adopt the entire 2018 IEBC Appendix Chapter A1 – **Seismic Strengthening Provisions for Unreinforced Masonry Buildings (URM)** published by the International Code Council, with amendments. The purpose of this action is to adopt the latest standards as required by H&SC Section 18928 and as recommended by the Seismic Safety Commission, making the standards available to local governments for their loss reduction programs. The rationale for the adoption is the improvement of these programs and the successful mitigation of the remaining at-risk URM buildings. Carry forward amendments to clarify the California Code vs. the International Code references, including:

**Section A100 – APPLICATION.** Carry forward existing language which provides the specific scope for the application of this appendix to the occupancies for which BSC has authority.

**Section A103 – DEFINITIONS – BUILDING CODE.** Carry forward existing definition.

**The reprints of Uniform Building Code Standards 21-4, 21-6, 21-7, 21-8, 21-13,** that previously supported the chapter are repealed by this action, since they are no longer needed, now that model text has incorporated test methods and specifications into the code text itself, or has referred to proper references located within Chapter A5.

CAC Recommendation: Approve as amended; replace “International” with “California” within any references stated in model.

Agency Response: None were found in Chapter A1, but if references need correction, they will be picked up by the publisher in codification.

#### **ITEM 45. APPENDIX A, CHAPTER A2 – EARTHQUAKE HAZARD REDUCTION IN EXISTING REINFORCED CONCRETE AND REINFORCED MASONRY WALL BUILDINGS WITH FLEXIBLE DIAPHRAGMS**

##### **Specific Purpose, problem, rationale and benefit:**

BSC proposes to adopt entire Appendix Chapter A2, of 2018 IEBC, with amendments. The purpose of this action is to adopt the latest standards as required by H&SC Section 18928 and as recommended by the Seismic Safety Commission, making the standards available to local governments for their loss reduction programs. The rationale for the adoption is the improvement of these programs and the successful mitigation of remaining at-risk flex diaphragm buildings. In the 2016 CEBC, Section 319.1.1 referred to Chapter A2, but erroneously did not adopt it; this action makes clear the relationship between that section and the chapter.

Carry forward amendments to clarify the California Code vs. the International Code references, including:

**Section A202 – SCOPE.** Delete non-applicable text. Note that National Building Code and Standard Building Code are being stricken from model text, for clarity in CEBC, since neither of those codes have ever been effective within California.

CAC Recommendation: Approve as amended; suggested replace “International” with “California” within any references stated in model, as found in Section A205.4.

Agency Response: Reference naming changes will be picked up by the publisher in codification.

#### **ITEM 46. APPENDIX A – GUIDELINES FOR THE RETROFIT OF EXISTING BUILDINGS; CHAPTERS A3 and A4**

BSC does not adopt APPENDIX A: Chapter A4 - Earthquake Risk Reduction In Wood-frame Residential Buildings With Soft, Weak Or Open Front Walls, of 2018 IEBC. This is a residential appendix, not within BSC authority.

BSC does not adopt APPENDIX A: Chapter A4 - Earthquake Risk Reduction In Wood-frame Residential Buildings With Soft, Weak Or Open Front Walls, of 2018 IEBC. This is a residential appendix, not within BSC authority.

**ITEM 47. APPENDIX A – REFERENCED STANDARDS; CHAPTER A5**

BSC proposes to adopt APPENDIX A: Chapter A5 – Referenced Standards, of 2018 IEBC, without amendment. The adopted chapters of Appendix A rely on these referenced standards to carry out the intent of the provisions.

**ITEM 48. APPENDIX B – SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR EXISTING BUILDINGS AND FACILITIES**

BSC does not adopt APPENDIX B, of 2018 IEBC. Chapter 11 of Part 2 addresses the entire topic of accessibility compliance.

**ITEM 49. APPENDIX C – GUIDELINES FOR THE WIND RETROFIT OF EXISTING BUILDINGS; CHAPTERS C1 AND C2**

BSC does not adopt APPENDIX C: Chapter C1-Gable End Retrofit For High Wind Areas; Chapter C2-Roof Deck Fastening For High Wind Areas, both of 2018 IEBC.

**ITEM 50. RESOURCE A – GUIDELINES ON FIRE RATINGS OF ARCHAIC MATERIALS AND ASSEMBLIES**

BSC does not adopt RESOURCE A, of 2018 IEBC.

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

(Government Code Section 11346.2(b)(3))

There was no technical, theoretical or empirical study, report, or similar documents used as the basis for the proposed amendments to the 2019 California Building Code.

**STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:**

(Government Code Section 11346.2(b)(1))

BSC is statutorily required to adopt by reference model building codes, which contain prescriptive standards. Prescriptive standards provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety and welfare standards for owners, occupants and guests.

Performance standards are permitted by state law; however, they must be demonstrated to the satisfaction of the proper enforcing agency.

**CONSIDERATION OF REASONABLE ALTERNATIVES**

(Government Code Section 11346.2(b)(4)(A))

There were no reasonable alternatives available to BSC. BSC is required by statute to adopt model codes as reference in the California Building Standards Law (Health and Safety Code, § 18901 et seq.).

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

(Government Code Section 11346.2(b)(4)(B))

No alternatives were identified that would lessen any adverse impact on small business. Adoption of the latest edition of the model code is mandated by H&SC §18928.

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

(Government Code Section 11346.2(b)(5)(A))

The California Building Standards Commission (BSC) did not identify any facts, evidence, documents, testimony, or other substantiation to make an initial determination of significant adverse economic impact on businesses. BSC has determined that this regulatory action would not have a significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

### **ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**

(Government Code Sections 11346.3(b)(1) and 11346.5(a)(10))

The California Building Standards Commission has assessed whether or not and to what extent this proposal will affect the following:

#### **The creation or elimination of jobs within the State of California.**

This regulation will not affect the creation or elimination of jobs within the State of California.

#### **The creation of new businesses or the elimination of existing businesses within the State of California.**

This regulation will not affect the creation or elimination of existing businesses within the State of California.

#### **The expansion of businesses currently doing business with the State of California.**

This regulation will not affect the expansion of businesses currently doing business with the State of California.

#### **The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**

These regulations will update and clarify minimum building standards, which will provide increased protection of public health and safety, worker safety and the environment.

### **ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS**

(Government Code Section 11346.2(b)(5)(B)(i))

BSC did not identify any costs to comply with the proposed amendments. The amendments provide clarity and regulatory consistency for the code user.

### **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

(Government Code Section 11346.2(b)(6))

There are no federal regulations concerning state agency adoption and amendment of model codes. Those provisions are found in H& SC §§18928 and 18929.1.