

**NOTICE OF PROPOSED ACTION  
TO BUILDING STANDARDS OF THE  
CALIFORNIA BUILDING STANDARDS COMMISSION  
THE 2019 CALIFORNIA EXISTING BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10  
(BSC 05/18)**

Notice is hereby given that the California Building Standards Commission (CBSC) proposes to repeal the 2015 IEBC and adopt, approve, codify, and publish changes to building standards contained in the 2018 IEBC for use as the 2019 California Existing Building Code, Part 10, Title 24, CCR..

**PUBLIC COMMENT PERIOD**

Reference: Government Code Section 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 14**, until **5:00 PM** on **October 29, 2018**.

Please address your comments to:

**California Building Standards Commission**  
Attention: Mia Marvelli, Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento CA 95833

Written comments may also be emailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

## **AUTHORITY AND REFERENCE**

Reference: Government Code Section 11346.5(a)(2).

The California Building Standards Commission (CBSC) proposes to adopt these building standards under the authority granted by Health and Safety Code (HSC) §§18928, 18934.5 and 18934.7. The purpose of these building standards is to implement, interpret, and make specific the provisions of HSC §§ 18928 and 18928.1. CBSC is proposing this regulatory action based on HSC §18928.

## **INFORMATIVE DIGEST**

Reference: Government Code Section 11346.5(a)(3).

### **Summary of Existing Laws**

Health & Safety Code Section 18928 and 18934.7 authorizes CBSC to adopt the most recent edition of the International Existing Building Code.

Health & Safety Code Section 18928(b) sets forth that each state agency adopting or proposing adoption of a model code, national standard, or specification shall adopt or propose adoption of the most recent edition of the model code, as amended or proposed to be amended by the adopting agency, within one (1) year after the date of publication of the model code, national standard, or specification.

Health & Safety Code Section 18934.5 sets forth that where no state agency has the authority to adopt building standards applicable to state buildings, the commission shall adopt, approve, codify, and publish building standards providing the minimum standards for the design and construction of state buildings.

### **Summary of Existing Regulations**

The existing 2016 California Existing Building Code (CEBC) is Part 10 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The 2016 CEBC incorporates, by adoption by the California Building Standards Commission, the 2015 IEBC of the International Code Council (ICC), with amendments for state-owned buildings and buildings constructed by the University of California and California State Universities. Additional CBSC amendments reference and/or reprint green building standards into the 2016 CEBC, as appropriate, pursuant to HSC §18940.5. This notice of proposed action reflects CBSC's repeal of the 2016 CEBC and adoption by reference the 2018 IEBC, with California amendments, effective January 1, 2020.

### **Summary of Effect**

This proposed action will make effective the 2018 IEBC of ICC, with necessary amendments to state-owned buildings and to all occupancies identified pursuant to HSC §18938, 180 days after the publication of the next triennial edition of the California Existing Building Code (CEBC). This proposed action by CBSC will also make the 2016 CEBC inoperative for state-owned buildings, and for persons applying for a building permit upon the effective date of the next triennial edition of the CEBC.

### **Comparable Federal Statute or Regulations**

There are no comparable Federal Statutes or regulations related to the proposed action by the California Building Standards Commission.

### **Policy Statement Overview**

This proposed adoption of the most current edition of the IEBC makes it applicable to state-owned building projects, or any person seeking a building permit at the local level, the most current edition of the IEBC by reference through the California Code of Regulations, Title 24. The adoption of the most current edition of the IEBC provides an up-to-date reference document for existing buildings to be repaired, relocated, altered, added to, or otherwise modified under the next triennial edition of the California Existing Building Code.

### **Evaluation of Consistency**

The proposed regulation is not inconsistent or incompatible with existing state regulations.

### **OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

Reference: Government Code Section 11346.5(a)(4).

CBSC has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

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

Reference: Government Code Section 11346.5(a)(5).

CBSC has determined that the proposed regulatory action would impose a mandate on local agencies. However, the mandate does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code. HSC §18928 requires CBSC to adopt the most current edition of the model codes. HSC §18938(b) makes applicable the most current edition of the model plumbing code to all occupancies throughout the State of California, as prescribed.

CBSC does not have authority to impose building standards or regulations on school districts. Further, the proposed regulatory actions are administrative in nature and would not enact a mandate on local agencies or school districts.

### **ESTIMATE OF COST OR SAVINGS**

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NONE**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NONE**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NONE**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NONE**
- E. Cost or savings in federal funding to the state: **NONE**

Estimate: **N/A**

## **INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

Reference: Government Code Section 11346.5(a)(8).

CBSC has made an initial determination that the adoption of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

## **DECLARATION OF EVIDENCE**

Reference: Government Code Section 11346.5(a)(8).

CBSC affirms that the rulemaking action complies with the mandates set forth by Health & Safety Code §§ 18928 and 18934.5. Therefore, CBSC's initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action.

## **FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE**

Reference: Government Code Section 11346.5(a)(11).

CBSC made an assessment of the proposed code changes and has determined that these changes do not require a report.

## **COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

Reference: Government Code Section 11346.5(a)(9).

CBSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

Reference: Government Code Section 11346.5(a)(10).

BSC has assessed to what extent this proposal will affect the following:

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

These regulations will not affect the creation of or elimination of jobs within the State of California.

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

These regulations will not affect the creation of or the elimination of existing business within the State of California

**C. The expansion of businesses currently doing business within the State of California.**

These regulations will not affect the expansion of businesses currently doing business within the State of California.

**D. 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 improve building standards, provide increased protection of public health and safety, worker safety, and the environment.

## **ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).

CBSC has made an initial determination that this proposal would not have a significant effect on housing costs.

## **CONSIDERATION OF ALTERNATIVES**

Reference: Government Code Section 11346.5(a)(13).

CBSC has determined that no reasonable alternative considered by CBSC or that has otherwise been identified and brought to the attention of CBSC would be more effective in carrying out the purpose for which this action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

## **AVAILABILITY OF RULEMAKING DOCUMENTS**

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the [CBSC website](http://www.bsc.ca.gov): [www.bsc.ca.gov](http://www.bsc.ca.gov).

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the [CBSC website](http://www.bsc.ca.gov): [www.bsc.ca.gov](http://www.bsc.ca.gov)

Reference: Government Code Section 11346.5(a)(21).

CBSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

## **CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Michael L. Nearman, Deputy Executive Director

2525 Natomas Park Drive, Suite 130

Sacramento, CA 95833

Telephone: (916) 263-0916

[Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)

**PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING  
STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be standards should be addressed to:

Gary Fabian, Associate Architect  
California Building Standards Commission  
Telephone No.: (916) 263-0916  
gary.fabian@dgs.ca.gov

Or

Michael L. Nearman, Deputy Executive Director  
California Building Standards Commission  
Telephone No.: (916) 263-0916  
michael.nearman@dgs.ca.gov