INITIAL EXPRESS TERMS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA **BUILDING STANDARDS COMMISSION**
REGARDING THE **2019 CALIFORNIA ADMINISTRATIVE CODE**,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART **1**

# (BSC 01/19)

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 (Government Code Section 11346.2(a)(1)).

If using assistive technology, please adjust your settings to recognize underline, strikeout and ellipsis.

## LEGEND for EXPRESS TERMS (California only codes - Parts 1, 6, 8, 11, 12)

1. Existing California amendments appear upright
2. Amended or new California amendments appear underlined
3. Repealed California language appears ~~upright and in strikeout~~
4. Ellipsis (…) indicate existing text remains unchanged

## INITIAL EXPRESS TERMS

**CHAPTER 1**

**ADMINISTRATIVE REGULATIONS OF THE**

**CALIFORNIA BUILDING STANDARDS COMMISSION**

**ARTICLE 1**

**GENERAL**

# ITEM 1:

**Section 1-101. Abbreviations. . . .**

**. . .**

**SL** Identifies code provisions by the State Librarian ~~Library~~

**. . .**

**Authority:** Government Code Section 11000, and Health and Safety Code Sections 18931(f).

**Reference:**  Government Code Section 11000, and Health and Safety Code Sections 18931(d).

# ITEM 2:

**Section 1-103. Definitions. . . .**

**ADOPTING AGENCY (or state adopting agency). . . .**

**. . .**

**FEES, ~~APPROPRIATE~~ FRACTIONS THEREOF.** Fee increments for individual building permit values less than $100,000 as described in Article 5, Section 1-505 and Table 1-505.

**. . .**

**PETITION.** A written submittal to the Commission or a state adopting or proposing agency by any local government agency, firm or member of the public for the purpose of proposing a new building standard or administrative regulation in Title 24, or the amendment or repeal of an existing building standard or administrative regulation in Title 24 that is currently effective.

**. . .**

**Authority:** Government Code Section 11000, and Health and Safety Code Sections 18929.1, 18931(f) and 18949.6.

**Reference:**  Government Code Section 11000, and Health and Safety Code Sections 18927, 18929-18932, 18934, 18935, 18936, 18949.1, 18941.2, 18949.3, 18949.5 and 18949.6.

**. . .**

# ITEM 3:

**ARTICLE 3**

**APPEALS AND PETITION PROCEDURES**

**. . .**

**Section: 1-315. Criteria for petition.**

1. **. . .**
2. The rationale for the petition must take the form of at least one of the following criteria:
3. A current building standard conflicts with pertinent statute(s) and/or regulation(s). To substantiate this criterion, the petitioner must cite the subject building standard and the conflicting statute(s) and/or regulation(s), and provide a clear written description of why the two are inconsistent.
4. **. . .**
5. **. . .**
6. **. . .**
7. **. . .**

Authority: Health and Safety Code Sections 18931 and 18949.6.

Reference: Health and Safety Code Sections 18931 and 18949.6.

# ITEM 4:

**ARTICLE 4**

**RULEMAKING FOR THE ADOPTION OF BUILDING STANDARDS**

**. . .**

**Section: 1-409. Code advisory committee review.**

1. Prior to conducting any hearing or public comment period as part of the rulemaking proceeding required by the Administrative Procedure Act, the Commission shall assign an initial rulemaking file, received on or before the deadline established under Section 1-406 of this article, to one or more code advisory committees specifically knowledgeable in the building standard being proposed and schedule the submittal for a noticed public hearing to ensure adequate opportunity for public participation and technical review.
2. **. . .**
3. **. . .**
4. **. . .**
5. **. . .**
6. **. . .**
7. **. . .**
8. **. . .**
9. **. . .**
10. **. . .**
11. **. . .**

**Authority:** Health and Safety Code Sections 18931 and 18935.

**Reference:** Health and Safety Code Sections 18931 and 18935.

# ITEM 5:

**Section: 1-413. Public comments and related actions.**

1. **. . .**
2. **. . .**
3. ~~The Commission provides a suggested public comment form at the Commission’s website (www.bsc.ca.gov).~~
4. (c) **. . .**
5. (d) **. . .**
6. (e) **. . .**
7. (f) **. . .**

**Note:** The Commission provides a suggested public comment form at the [Commission’s website](http://www.dgs.ca.gov/bsc) - dgs.ca.gov/BSC

**Authority:** Government Code Section 11346 et seq. and Health and Safety Code Sections 18929.1, 18930, 18934 and 18935.

**Reference:** Government Code Section 11346 et seq. and Health and Safety Code Sections 18929.1, 18630, 18934, and 18935.

# ITEM 6:

**Section: 1-415. Final rulemaking file by state proposing agencies.**

1. **. . .**
2. **. . .**

**. . .**

6. One (1) copy of the Finding of Emergency Statement (submitted only with Emergency Building Standards ~~Regulations~~). Also see Section 1-419 of this article.

**. . .**

10. One (1) copy of each written comment received during public comment period(s), and a memo attesting to the 45-day public availability period.

**. . .**

16. One (1) copy of the Certification of Compliance, which is required to make emergency building standards permanent (submitted only with Emergency Building Standards ~~Regulations~~ during certifying rulemaking).

17. One (1) copy of a written statement confirming that the state agency complied with the provisions of Government Code Section 11346.4(a)(1) through (4) regarding the mailing of notice of proposed action at least 45 days prior to public hearing and close of the public comment period. The statement shall include the date upon which the notice was mailed. This section is not intended to require an agency to provide a copy of its mailing list to support the statement.

~~17.~~ 18. One (1) electronic file copy of each of the above…

1. **. . .**

**Authority:** Government Code Section 11346 et seq. and Health and Safety Code Sections 18931(f) and 18949.6.

**Reference:** Government Code Section 11346 et seq. and Health and Safety Code Sections 18931(f) and 18949.6.

# ITEM 7:

**ARTICLE 5**

**CITY, COUNTY, AND CITY AND COUNTY BUILDING PERMIT FEES**

**. . .**

**Section: 1-503. Definitions.** The following terms are defined in Section 1-103. Definitions of this Chapter:

 **. . .**

**Fees, ~~appropriate~~ fractions thereof.**

**. . .**

**1-505. Fee assessment.**

* 1. Fees shall be levied on building permits required for all disciplines covered by Title 24, including, but not limited to, building, electrical, mechanical and plumbing, and for which a valuation is made.
	2. Fees are assessed at a rate of $4 per $100,000, or fractions thereof, of each building permit valuation, but not less than $1~~, with appropriate fractions thereof~~ per permit, as shown in ~~the following table (1-505)~~ Table 1-505:

**TABLE 1-505**

**BUILDING PERMIT VALUATION FEE**

| **BUILDING PERMIT VALUATION** | **FEE** |
| --- | --- |
| $1– $25,000 | $1 |
| ~~$25,001~~ $25,000.01 - $50,000– 50,000 | $2 |
| ~~$50,001~~ $50,000.01 - $75,000– 75,000 | $3 |
| ~~$75,001~~ $75,000.01 - $100,000– 100,000 | $4 |
| Every $25,000 or fraction thereof above $100,000 | Add $1 |

**. . .**

**Authority:** Government Code Section 11346 et seq. and Health and Safety Code Sections 18930.5, 18931(f), 18931.6, 18931.7 and 18949.6.

**Reference:** Government Code Section 11346 et seq. and Health and Safety Code Sections 18930.5, 18931(f), 18931.6, 18931.7 and 18949.6.

**. . .**

**Section: 1-507. Fee collection.**

1. Cities, counties, or cities and counties shall submit fees each quarter, commencing with the quarter beginning January 1 and ending March 31, 2009, due on the 15th day of the following month.
2. Each quarter, a city, county, or city and county shall submit a completed Fee Report Form (BSC-2) and a check made payable to the California Building Standards Commission, with the fees collected for that quarter. The check shall accompany the completed Fee Report Form (BSC-2).
3. **. . .**
4. **. . .**

**Note:** The ~~form templates~~ forms and a detailed guidebook are available on the on the Commission’s website’s [Building Permit Fee Page](https://www.dgs.ca.gov/BSC/BSASRF---The-Building-Permit-Fee#@ViewBag.JumpTo) dgs.ca.gov/BSC/BSASRF---The-Building-Permit-Fee ~~www.bsc.ca.gov/SB1473~~.

1. The Commission shall deposit the moneys collected into the Building Standards Administration Special Revolving Fund for use, upon appropriation, by the Commission, the Department, and the Office ~~for use~~ as specified in Section 1-501.

**Authority:** Health and Safety Code Sections 18909(c), 18929, 18930.5, 18931, 18931.6, ~~and~~ 18931.7 and 18949.6.

**Reference:** Health and Safety Code Sections 18930.5,18931.6 and 18931.7.

# ITEM 8:

**Section 1-509. Request for refund of fees.**

1. When a city, county or city and county determines that excess fees were paid in error due to a miscalculation, a written request for refund may be filed with the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833. The request for refund shall be submitted with all the following:
2. **. . .**
3. **. . .**
4. **. . .**
5. **. . .**
6. **. . .**

**. . .**

**Authority:** Health and Safety Code Sections 18909(c), 18929, 18930.5, 18931, 18931.6, 18931.7 and 18949.6.

**Reference:** Health and Safety Code Sections 18930.5,18931.6 and 18931.7.