# 45-DAY EXPRESS TERMS FOR PROPOSED BUILDING STANDARDS OF THE CALIFORNIA BUILDING STANDARDS COMMISSION REGARDING THE 2021 CALIFORNIA EXISTING BUILDING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10

# (BSC 09/21)

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, italic and ellipsis.

## LEGEND for EXPRESS TERMS (Based on model codes - Parts 2, 2.5, 3, 4, 5, 9, 10)

* Model Code language appears upright
* Existing California amendments appear in *italic*
* Amended model code or new California amendments appear *underlined & italic*
* Repealed model code language appears ~~upright and in strikeout~~
* Repealed California amendments appear in *~~italic and strikeout~~*
* Ellipsis (**…**) indicates existing text remains unchanged

# 45-DAY EXPRESS TERMS

# ITEM 1 *CHAPTER 1 SCOPE AND ADMINISTRATION DIVISION I – CALIFORNIA ADMINISTRATION*

[BSC proposes to bring forward existing California amendments in Chapter 1, Division I, Sections 1.1 and 1.2 from the 2019 CEBC for adoption into the 2022 CEBC with the following modifications.]

***1.1.1 Title.*** *These regulations shall be known as the California Existing Building Code, may be cited as such and will be referred to herein as “this code.” The California Existing Building Code is Part 10 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 ~~2018~~ 2021 International Existing Building Code of the International Code Council with necessary California amendments.*

…

**Notation:**

Authority: Government Code Section 14617; Health and Safety Code Sections 16600, 16601, 18928, 18930.5, 18934.5, and 18940.5.

Reference(s): Government Code Section 14617; Health and Safety Code Sections 16600 and 18929.

# ITEM 2 CHAPTER 1 *SCOPE AND ADMINISTRATION* *DIVISION II* *– SCOPE AND ADMINISTRATION*

[BSC proposes to adopt Sections 106.2.5 and 109.3.6 of the 2021 IEBC Chapter 1 and bring forward existing California amendments from the 2019 CEBC with the following modifications.]

…

**SECTION 105 PERMITS**

…

**[A] 105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The code official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

***105.5.1 Expiration****.* ***[BSC]*** *On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (See Health and Safety Code Section 18938.5 and 18938.6).*

…

**Notation**

Authority: Health and Safety Code Sections 18928, 18929, 18934.5, 18934.7, 18938.5, 18938.6.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5, 18938.5, 18938.6.

# ITEM 3 CHAPTER 2 DEFINITIONS

[BSC proposes to adopt 2021 IEBC Chapter 2 with the following amendments.]

…

***BUILDING OFFICIAL. [BSC]***[Relocated from Section 318.1] *The ~~is that~~ individual within the agency or organization charged with responsibility for compliance with the requirements of this code. For some agencies this person is termed the “enforcement agent.”*

…

***ENFORCEMENT AGENCY. [BSC]*** [Relocated from Section 318.1] *~~(Authority Having Jurisdiction in ASCE 41) is t~~The agency or organization charged with responsibility for agency or organization compliance with the requirements of this code, also known as the Authority Having Jurisdiction in ASCE 41.*

…

***REPAIR.*** [Withdrawn]

…

**Notation**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 4 CHAPTER 3 PROVISIONS FOR ALL COMPLIANCE METHODS

[BSC proposes to adopt 2021 IEBC Sections 301.1.1, 302.5 (formerly 302.6), 304.1 (formerly 303.1), 304.2 (formerly 303.2), and 305.1 (formerly 304.1) and bring forward existing California amendments from the 2019 CEBC with the following modifications.]

**301.1 Applicability.** …

**301.1.1 Bleachers, grandstands and folding and telescopic seating.** Existing bleachers, grandstands and folding and telescopic seating shall comply with ICC 300.

…

**302.1 [****Formerly 302.2] Dangerous conditions.** The code official shall have the authority to require the elimination of conditions deemed dangerous.

***302.1.1 ~~302.2.1~~* *Dangerous conditions. [BSC]*** *Regardless of the extent of structural or nonstructural damage, the code official shall have the authority to require the elimination of conditions deemed dangerous.*

…

**302.5 [Formerly 302.6] Occupancy and use.** Where determining the appropriate application of the referenced sections of this code, the occupancy and use of a building shall be determined in accordance with Chapter 3 of the *California Building Code.*

…

***317.2 Scope.*** *All ~~modifications~~ alterations, ~~structurally connected~~ additions and/or repairs to existing structures or portions thereof shall, at a minimum, be designed and constructed to resist the effects of seismic ground motions as provided in this section. The structural system shall be evaluated by a registered design professional and, if not meeting or exceeding the minimum seismic design performance requirements of this section, shall be retrofitted in compliance with these requirements.*

…

***317.5 Minimum seismic design performance levels for structural and nonstructural components.*** *Following the notations of ASCE 41, the seismic requirements for design and assessment are based upon a prescribed ~~Earthquake~~ Seismic Hazard Level (BSE-1N, BSE-2N, BSE-1E, BSE-R or BSE-C), a specified structural performance level (S-1 through S-5) and a nonstructural performance level (N-A through N-E). The minimum seismic performance criteria are given in Table 317.5 according to the Building Regulatory Authority and the Risk Category as determined in Chapter 16 of the California Building Code or by the regulatory authority. The building shall be evaluated in accordance with a Tier 3 Systematic Evaluation and Retrofit per ASCE 41 Chapter 6 for both the Level 1 and Level 2 performance levels, and the more restrictive requirements shall apply.*

***Exception:*** *If the floor area of an addition is greater than the larger of 50 percent of the floor area of the original building or 1,000 square feet (93 m2), then the Table 317.5 entries for BSE-R (or BSE-1E) and BSE-C are replaced by BSE-1N and BSE-2N, respectively.*

…

***TABLE 317.5***

***SEISMIC PERFORMANCE REQUIREMENTS BY BUILDING REGULATORY AUTHORITY AND RISK CATEGORY.***

TABLE 317.5
SEISMIC PERFORMANCE REQUIREMENTS BY BUILDING REGULATORY AUTHORITY AND RISK CATEGORY with no modifications proposed


*1. …*

*2. Buildings evaluated and retrofitted to meet the structural and nonstructural requirements for a new building~~, Chapter 16 of~~ as given in the California Building Code~~, in accordance with the exception in Section 319.1,~~ as adopted by DSA or BSC, as applicable, are deemed to meet the seismic performance requirements of this section.*

*3. Buildings complying with the requirements of the exception in Section 319.1 are deemed to meet the seismic performance requirements of this section.*

…

***317.6 Retrofit required.*** *Where the evaluation indicates the building does not meet the required performance objectives of this section, the owner shall take appropriate steps to ensure that the building’s structural system is retrofitted in accordance with the provisions of Section 317. Appropriate steps are either: 1) undertake the seismic retrofit as part of the additions, ~~modifications~~ alterations and/or repairs of the structure; or 2) provide a plan, acceptable to the building official, to complete the seismic retrofit in a timely manner. The relocation or moving of an existing building is considered to be an alteration requiring filing of the plans and specifications approved by the building official.*

***317.7*** *The additions, ~~modification~~ alteration or repair to any existing building are permitted to be prepared in accordance with the structural and nonstructural requirements for a new building~~, Chapter 16 of~~ as given in the California Building Code, applied to the entire building.*

***317.8*** *The requirements of ASCE 41 Chapters 14 and 15 are to apply to the use of seismic isolation and~~/or~~ passive energy systems, respectively, for the repair, voluntary lateral-force-resisting system modification or retrofit of an existing structure. When seismic isolation or passive energy dissipation is used, the project must have project peer review as prescribed in Section 322.*

…

***318.1*** *In addition to the definitions given in Section 202, for the purposes of Sections 317 through 323, certain terms are defined as follows:*

***ADDITION [BSC]*** *means any work that increases the floor or roof area or the volume of enclosed space of an existing building, and is structurally attached to the existing building by connections that are required for transmitting vertical or horizontal loads between the addition and the existing structure.*

***ALTERATION******[BSC]*** *means any change within or to an existing building, which does not increase and may decrease the floor or roof area or the volume of enclosed space.*

…

***BUILDING OFFICIAL*** *…*[Relocated to Section 202]

***~~DESIGN~~*** *~~is the procedure that includes both the evaluation and retrofit design of an existing component, element or structural system, and design of a new component, element or structural system.~~*

***ENFORCEMENT AGENCY*** *…* [Relocated to Section 202]

***~~METHOD A~~*** *~~refers to the procedures prescribed in Section 320.~~*

***~~METHOD B~~*** *~~refers to the procedures allowed in Section 321.~~*

***~~MODIFICATIONS.~~*** *~~For this chapter, modification is taken to include repairs to structures that have been damaged.~~*

***~~N-A, N-B, N-C, N-D, N-E~~*** *~~are seismic nonstructural component performance measures as defined in ASCE 41. N-A corresponds to the highest performance level, and N-D the lowest, while N-E is not considered.~~*

***~~PEER REVIEW~~*** *~~refers to the procedures contained in Section 322.~~*

***~~REPAIR~~*** [Withdrawn]

***~~S-1, S-2, S-3, S-4, S-5, S-6~~*** *~~are seismic structural performance measures as defined in ASCE 41. S-1 corresponds to the highest performance level, and S-5 the lowest, while S-6 is not considered.~~*

***~~SPECIFIC PROCEDURES~~*** *~~are the procedures listed in Section 319.1.1.~~*

***~~STRUCTURAL REPAIRS~~*** *~~are any changes affecting existing or requiring new structural components primarily intended to correct the effects of damage, deterioration or impending or actual failure, regardless of cause.~~*

*…*

***319.1 Basis for evaluation and design.*** *This section determines what technical approach is to be used for the seismic evaluation and design for existing buildings. For those buildings …*

*One of the following approaches must be used:*

1. *Method A …*
2. *Method B …*
3. *For state-owned buildings only, the use of one …*

*When Method B is chosen it must be approved by the building official, and, where applicable, by the peer reviewer. All referenced standards in ASCE 41 shall be replaced by referenced standards listed in Chapter 35 of the California Building Code.*

***Exceptions:***

1. ***[BSC]*** *For buildings constructed to the requirements of California Building Code, ~~2013~~ 2016 or later edition, as adopted by the governing jurisdiction, that code is permitted to be used in place of those specified in Section 319.1.*

*…*

***319.4 Risk categories.*** *~~For purposes of earthquake-resistant design, e~~Each structure shall be placed in one of the ~~r~~Risk ~~c~~Categories in accordance with the requirements of the California Building Code.*

*…*

***319.7 Prescriptive selection of the design method.*** *The requirements of Method A (Section 320) or the specific procedures for applicable building types given in Section 319.1.1 are permitted to be used except under the following conditions, where the requirements of Method B (Section 321) must be used.*

***319.7.1*** *When the building contains prestressed or posttensioned structural components (beams, columns, walls or slabs) or contains precast structural components (beams, columns, walls or flooring systems).*

***319.7.2*** *When the building is classified as irregular in vertical or horizontal plan. If the evaluation and retrofit is in accordance with Table 317.5 footnote 2 or 3, the building shall be classified by application of ASCE 7, Section 12.3.2. ~~and/or~~ If the evaluation and retrofit is in accordance with ASCE 41, the building shall be classified as irregular when an irregularity defined in ASCE 41, Sections 7.3.1.1.1 to 7.3.1.1.4 exists. ~~Unless the~~* [Remainder of the provision relocated to Exception 2 below]

***Exception:*** *Section 319.7.2 does not apply in the following conditions:*

*1. ~~If t~~The retrofit design removes the configurational attributes that caused the building to be classified as irregular~~, then Section 319.7.2 does not apply and~~ ~~Method A may be used~~.*

*2. The irregularity is demonstrated not to affect the seismic performance of the building.*

***319.10*** ***Structural observation, testing and inspection.*** *Structural~~, geotechnical and construction~~ observation, testing and inspection as used in this section shall mean meeting the requirements of Chapter 17 of the California Building Code, with a minimum allowable level of investigation corresponding to seismic design category (SDC) D. ~~At a minimum the project site will be visited by the responsible design professional to observe existing conditions and to review the construction work for general compliance with approved plans, specifications and applicable structural regulations. Such~~ Structural observation visits shall occur at significant construction stages and at the completion of the structural retrofit. Structural observation shall be provided for all structures. ~~The plan for testing and inspection shall be submitted to the building official for review and approval with the application for permit.~~*

***~~319.10.1~~*** *~~The registered design professional, or their designee, responsible for the structural design shall be retained to perform structural observation and independently report to the owner of observations and findings as they relate to adherence to the permitted plans and good workmanship.~~*

***~~319.10.2~~*** *~~At the conclusion of construction, the structural observer shall submit to the enforcement agency and the owner a final written statement that the required site visits have been made, that the work, to the best of the structural observers knowledge and belief, is or is not in general conformity to the approved plans and that the observed structural deficiencies have been resolved and/or listing those that, to the best of the structural observers knowledge and belief, have not been satisfactorily corrected.~~*

***319.10.~~2.~~1***[Renumbered to coordinate with deletion of the parent section] *The requirement …*

***319.10.~~2.~~2***[Renumbered to coordinate with deletion of the parent section] ***Preconstruction meeting.*** *…*

***319.11 Temporary actions.*** *When compatible with the building use, and the time phasing for both use and the retrofit program, temporary shoring or other structural support is permitted to be considered. Temporary bracing, shoring and prevention of falling hazards are permitted to be used to qualify for ~~Exception~~ Item 1 in Section 319.12 that allows inadequate capability in some existing components, as long as the required performance levels given in Section 317 can be provided by the permanent structure. The consideration for such temporary actions shall be noted in the design documents.*

*…*

***321.1*** *The existing or retrofitted structure shall be demonstrated to have the capability to sustain the deformation response due to the specified earthquake ground motions and meet the seismic performance requirements of Section 317. The registered design professional shall provide an evaluation of the response of the existing structure in its modified configuration and condition to the ground motions specified. If the building’s seismic performance is evaluated as satisfactory and the peer reviewer(s,) and the enforcement agency* *concurs, then no further structural ~~modifications~~ retrofit and/or repair of the lateral load-resisting system are required.*

*When the evaluation indicates the building does not meet the required performance levels given in Table 317.5 for the risk category, then a retrofit and/or repair design shall be prepared that provides a structure that meets these performance objectives and reflects the appropriate consideration of existing conditions. Any approach to analysis and design is permitted to be used, provided that the approach shall be rational, shall be consistent with the established principals of mechanics and shall use the known performance characteristics of materials and assemblages under reversing loads typical of severe earthquake ground motions.*

***Exception:*** *…*

*…*

**Notation**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5, 18941.6.

# ITEM 5 CHAPTER 4 REPAIRS

[BSC proposes to adopt 2021 IEBC Section 401.1.1, 401.3, and 405.2.6 (formerly 405.2.5) and bring forward existing California amendments from the 2019 CEBC with the following modifications.]

**401.1 Scope.** Repairs …

**401.1.1** **Bleachers, grandstands and folding and telescopic seating.** Repairs to existing bleachers, grandstands and folding and telescopic seating shall comply with ICC 300.

***401.1.2 ~~401.1.1~~ Scope. [BSC]*** *For state-owned buildings, including those owned by the University of California and the California State University and the Judicial Council, the requirements of Sections 405.2.1 and 405.2.3 are replaced by the requirements of Sections 317 through 322.*

*…*

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 6 CHAPTER 5 PRESCRIPTIVE COMPLIANCE METHOD

[BSC proposes to adopt 2021 IEBC Chapter 5 sections 501.1, 502.1, 502.3, 502.4, 503.1, 503.2, 503.3, 506.1, 506.1.1, 506.2, 506.3 and bring forward existing California amendments from the 2019 CEBC with the following modifications.]

**501.1 Scope.** The provisions of this chapter shall control the alteration, addition and change of occupancy of existing buildings and structures, including historic buildings and structures as referenced in Section 301.3.1. ***[BSC]*** *including state-regulated structures in accordance with Section 501.1.2.* *Historic buildings and structures shall comply with Part 8, Title 24, C.C.R.*

…

**502.1 General.** …

***Exception: [BSC]*** *For state-owned buildings, including those owned by the University of California and the California State University and the Judicial Council, the* *requirements of Section~~s 502.4 and~~ 502.5 are replaced by the requirements of Sections 317 through 322.*

…

**503.1 General.** …

**Exceptions:**

…

1. ***[BSC]*** *For state-owned buildings, including those owned by the University of California and the California State University and the Judicial Council, the* *requirements of Section~~s 503.3 through~~ 503.4 are replaced by the requirements of Sections 317 through 322.*

…

**506.5 [Formerly 506.4] Structural.** Any building undergoing a change of occupancy shall satisfy the requirements of this section.

***Exception: [BSC]*** *For state-owned buildings, including those owned by the University of California and the California State University and the Judicial Council, the performance level requirements of Section 506.~~4~~5 are replaced with the performance level requirements of Section 317.5.*

…

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 7 CHAPTER 6 CLASSIFICATION OF WORK CHAPTER 7 ALTERATIONS—LEVEL 1 CHAPTER 8 ALTERATIONS—LEVEL 2 CHAPTER 9 ALTERATIONS—LEVEL 3 CHAPTER 10 CHANGE OF OCCUPANCY CHAPTER 11 ADDITIONS

[BSC does not adopt Chapters 6, 7, 8, 9, 10, and 11 of the 2021 IEBC.]

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 8 CHAPTER 12 HISTORIC BUILDINGS

[BSC does not adopt Chapter 12 of the 2021 IEBC.]

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 9 CHAPTER 13 PERFORMANCE COMPLIANCE METHODS CHAPTER 14 RELOCATED OR MOVED BUILDINGS

[BSC does not adopt Chapters 13 and 14 of the 2021 IEBC.]

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 10 CHAPTER 15 CONSTRUCTION SAFEGUARDS CHAPTER 16 REFERENCED STANDARDS.

[BSC proposes to adopt Chapters 15 and 16 of the 2021 IEBC into the 2022 CEBC, without amendment.]

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 11 APPENDIX A CHAPTER A1 SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED MASONRY BEARING WALL BUILDINGS CHAPTER A2 EARTHQUAKE HAZARD REDUCTION IN EXISTING REINFORCED CONCRETE AND REINFORCED MASONRY WALL BUILDINGS WITH FLEXIBLE DIAPHRAGMS

[BSC proposes to adopt the entire Appendix A, Chapters A1 and A2 of the 2021 IEBC, and to bring forward existing 2019 CEBC amendments.]

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 12 APPENDIX A CHAPTER A3 PRESCRIPTIVE PROVISIONS FOR SEISMIC STRENGTHENING OF CRIPPLE WALLS AND SILL PLATE ANCHORAGE OF LIGHT, WOOD-FRAME RESIDENTIAL BUILDINGS CHAPTER A4 EARTHQUAKE RISK REDUCTION IN WOOD-FRAME RESIDENTIAL BUILDINGS WITH SOFT, WEAK OR OPEN FRONT WALLS

[BSC does not adopt APPENDIX A, Chapters A3 and A4 of the 2021 IEBC.]

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 13 APPENDIX A CHAPTER A5 REFERENCED STANDARDS

[BSC proposes to adopt APPENDIX A, Chapter A5 of the 2021 IEBC, without amendment.]

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.

# ITEM 14 APPENDIX B SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR EXISTING BUILDINGS AND FACILITIES APPENDIX C CHAPTER C1, GUIDELINES FOR THE WIND RETROFIT OF EXISTING BUILDINGS AND CHAPTER C2 ROOF DECK FASTENING FOR HIGH WIND AREAS APPENDIX D BOARD OF APPEALS RESOURCE A GUIDELINES ON FIRE RATINGS OF ARCHAIC MATERIALS AND ASSEMBLIES

[BSC does not adopt APPENDIX B, C, D and RESOURCE A of the 2021 IEBC.]

**Notation:**

Authority: Health and Safety Code Sections 18928, 18934.5, 18934.7.

Reference(s): Health and Safety Code Sections 18928, 18928.1, 18930, 18934.5.