

BUILDING STANDARDS COMMISSION

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June 2, 2017

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

Subject: 90-day Re-Adoption of Emergency Regulations (BSC EF 01/17)

Dear Ms. Marvelli,

The California Building Standards Commission (CBSC) is requesting a 90-day re-adoption of emergency regulations filed as BSC EF 01/17, which amend the California Building Standards Code (Part 2, Title 24, California Code of Regulations), and the California Existing Building Standards Code (Part 10, Title 24, California Code of Regulations). The proposal modifies sections of these Codes specific to the enhancement of design, construction and inspection for exterior elevated elements for specified nonresidential buildings, including provisions in Chapters 1, 16, and 23 of Part 2 and Chapter 1 of Part 10. These regulations were developed in coordination with the Department of Housing and Community Development (HCD), and the Division of the State Architect (DSA). The emergency regulations were partially based on the 2018 draft edition of the International Building Code and the International Existing Building Codes. This re-adoption is being submitted to the CBSC Commission to continue the emergency adoption approved January 27, 2017, and that were effective upon filing with the Secretary of State on January 30, 2017. The CBSC Exterior Elevated Elements Subcommittee met May 25, 2017 to solicit technical expertise from representatives of the CBSC staff, HCD, DSA, Office of the State Fire Marshal, local building officials, design professionals, property owners and managers, the building industry, the wood, steel and concrete industries, and any other interested parties. In addition, the International Code Council indicated the 2018 edition of the International Building Code and the International Existing Building Codes will be released in September or October of this year. To accommodate one or more public/private stakeholder meetings and the release of the 2018 model code language, CBSC and the other state agencies will likely request two 90-day extensions of the approved emergency regulations, as allowed by Government Code Section 11346.1.

The BSC EF 01/17 emergency building standards will expire July 29, 2017, without continuation or completion of the certification of compliance submitted to the CBSC. Due to the time required to facilitate a 45-day public comment period (as well as other regulatory requirements pursuant to Government Code Sections 11346.2 and 11347.3), CBSC will be unable to conclude the certification of compliance phase by the October 17, 2017 BSC meeting. Pursuant to Government Code Section 11346.1(h), CBSC requests a 90-day re-approval and re-adoption on an emergency basis the BSC EF 01/17 emergency rulemaking that was approved by the commission on January 27, 2017. This will extend the expiration date for these emergency regulations to October 27, 2018. CBSC will likely request the second 90-day extension allowed by state law at a future Commission meeting.

Enclosed for your consideration are the original emergency rulemaking documents.

Thank you,



Michael L. Nearman
Deputy Executive Director

Attachments:

BSC Face Sheet
Finding of Emergency
Emergency Express Terms
Nine Point Criteria Analysis