

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



December 13, 2017

Ms. Mia Marvelli
Executive Director
California Building Standards Commission, Department of General Services
2525 Natomas Park Dr., Suite 130
Sacramento, California 95833

RE: Final Approval of Emergency Building Standards
CBSC Emergency Rulemaking File Number BSC-EF-01-17
California Code of Regulations, Title 24, Parts 2 and 10

Dear Ms. Marvelli:

At the California Building Standards Commission (CBSC) meeting held on December 12, 2017, CBSC approved your agency's certification of compliance regarding adopted emergency building standards identified above. The emergency building standards are now codified in the Part of Title 24 referenced above and were filed with the Secretary of State on December 13, 2017. This action completes the process of adopting the emergency building standards initially approved by CBSC on January 27, 2017. Attached for your records is a copy of the face sheet and approved standards as filed.

If you have any questions or need any additional information regarding this matter you may contact Gary Fabian by telephone at (916) 263-0916. When contacting CBSC regarding this regulatory action, please refer to the rulemaking file number shown above.

Sincerely,

A handwritten signature in blue ink that reads "Michael L. Nearman".

Michael L. Nearman
Deputy Executive Director

Attachment

cc: Gary Fabian
CBSC Rulemaking File
CBSC Chron

STATE OF CALIFORNIA

BUILDING STANDARDS COMMISSION

BUILDING STANDARDS NOTICE/SUBMISSION FACE SHEET

Notice Register Number: 2017-36-2	Publication Date: SEPT. 8, 2017	RECEIVED		
Notice File Number: Z-2017-0829-07		2011 NOV 21 P 2:11		
		California Building Standards Commission		
		State Agency:	Submitted:	Item #
		BSC	EF-01	17
Office of Administrative Law				
APPLICANTS - DO NOT USE THE ABOVE SPACE				

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

DEC 13 2017
2:28 PM

Secretary of State

1. PROPOSING AGENCY DIRECTOR OR DESIGNEE (Attach delegation order of designee)
Mia Marvelli, Executive Director

STATE AGENCY California Building Standards Commission				TELEPHONE NUMBER (916) 263-0916
STREET ADDRESS 2525 Natomas Park Dr., Suite 130	CITY Sacramento	STATE CA	ZIP CODE 95833	FAX NUMBER ()

2. SUBMITTAL -- SUGGESTED REVISIONS TO THE CALIFORNIA CODE OF REGULATIONS, TITLE 24

SUBJECT: 2016 California Building Standards Code, Parts 2 & 10, Title 24, CCR

AGENCY FILE NUMBER: **BSC-EF-01-17**

3. NATURE OF PROCEEDINGS (Gov. Code, §11346.5, subd. (a)(1).)

PARTS/SECTIONS AFFECTED	Adopt Part 2, Chapter 1, Sections 107.2.7 & 110.3.8.1; Chapter 23, Section 2304.12.2.6 Part 10, Chapter 1, Sections 101.8, 106.2.6, & 109.3.8.1 Amend Part 2, Chapter 16, Table 1607.1; Chapter 23, Section 2304.12.2.5 Repeal
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4. TYPE OF FILING

Notice of Proposed Action Regular Rulemaking Resubmittal Emergency Other (Specify)

Certification of Compliance: The agency officer named below certifies that this agency complies with the provisions of Government Code Section 11346.1 prior to or within 180 days of the effective date of the regulations contained in this filing.

Changes without regulatory effect. (Attach explanation and justification analysis supporting that the proposed change(s) does not materially alter any rights, responsibilities, conditions, prescription or other regulatory element of any California Code of Regulations provisions.)

5. EFFECTIVE DATE OF REGULATORY CHANGE

Effective 180 days after publication in the California Building Standards Code Effective the 30th day after filing with the Secretary of State Effective on filing with Secretary of State Effective other (Specify) **January 30, 2017**

6. AUTHORITY -- Specify statute(s) or law(s) authorizing the adoption(s) (Gov. Code, §§ 11346.2, subd. (a)(2) and 11346.5, subd. (a)(2).): **Health & Safety Code 18934.5, 18938(b) & Government Code 11346, 14617**7. REFERENCE -- Provisions of law being implemented, interpreted or made specific by the regulations: **Health & safety Code 18934.5, and 18938**

8. NAME AND TELEPHONE NUMBER OF THE AGENCY OFFICER TO WHOM INQUIRIES CONCERNING THE PROPOSED ACTION MAY BE DIRECTED:

Gary L Fabian @ (916) 263-0916

CERTIFICATION--IMPORTANT-- PLEASE READ BEFORE SIGNING-- If not signed, this application may be rejected.

I certify that the attached copy of regulation(s) is a true and correct copy of the regulation(s) identified in this filing, that the information specified in this filing is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification. I further understand that any false, incomplete or incorrect statements may result in the rejection of this filing.

AGENCY DIRECTOR OR DESIGNEE SIGNATURE

TYPE NAME AND TITLE OF SIGNATORY: **Mia Marvelli, Executive Director**

DATE SIGNED

11/27/17

STATE OF CALIFORNIA
BUILDING STANDARDS COMMISSION

BUILDING STANDARDS NOTICE/SUBMISSION FACE SHEET

INSTRUCTIONS FOR PUBLICATION OF NOTICE AND SUBMISSION

HEARING DATE APPROVAL

Prior to submitting hearing notices for approval, state agencies must call or write in advance of submitting a public hearing notice for review to request that a particular hearing date be reserved for them. (HS. Code, § 18935, subd. (b) and Cal. Code Regs., Tit. 24, Part 1, § 1-411.)

NOTICE OF PROPOSED ACTION

Complete lines 1 through 8 and sign, date and identify title of signatory.

Submit the following:

- One (1) BSC "Face Sheet" (with original signature)
- One (1) copy of a delegation order, if other than the person authorized by statute signs the "Face Sheet."
- One (1) copy of the "Notice of Proposed Action" prepared in accordance with Government Code Section 11346.5.
- One (1) copy of the "Economic and Fiscal Impact Statement" (Department of Finance form 399).
- Two (2) copies of the "Express Terms" (proposed regulations) in plain straightforward language, avoiding technical terms as much as possible, and using coherent and easily readable style prepare in accordance with Government Code Section 11346.2.
- Two (2) copies of the "Initial Statement of Reasons" prepared in accordance with Government Code Section 11346.2.
- One (1) CD or DVD diskette containing electronic files of the above documents.

REGULAR RULEMAKING (Building Standard Approval)

Complete lines 1 through 8 and sign, date and identify title of signatory.

Submit the following documents required by California Code of Regulations, Title 24, Part 1, Section 1-419, including but not limited to:

- One (1) BSC "Face Sheet" (with original signature)
- One (1) copy of a delegation order, if other than the person authorized by statute signs the Face Sheet.
- An indexed Rulemaking file.
- Two (2) copies of the "Final Express Terms" (proposed regulations).
- Two (2) copies of the "Final Statement of Reasons" prepared in accordance with Government Code Section 11346.9.
- Two (2) copies of a "Nine Point Criteria" analysis.
- Two (2) copies of the Updated Information Digest.
- One (1) CD or DVD diskette containing electronic files of the above documents.

RESUBMITTAL

Complete lines 1 through 8 and sign, date and identify title of signatory.

Submit the following:

- One (1) BSC "Face Sheet" (with original signature)
- Appropriate number of copies of the resubmitted material.
- One (1) CD or DVD diskette containing electronic files of the above documents.

WITHDRAWAL

Complete lines 1 through 8 and sign, date and identify title of signatory. Identify filing as a withdrawal by check "Other" as the type of filing and type in "Withdrawal."

Submit the following:

- One (1) BSC "Face Sheet" (with original signature)
- One (1) copy of a delegation order, if other than the person authorized by statute signs the "Face Sheet"

EMERGENCY BUILDING STANDARDS

Complete lines 1 through 8 and sign, date and identify title of signatory.

Submit the following:

- One (1) BSC "Face Sheet" (with original signature)
- One (1) copy of a delegation order, if other than the person authorized by statute signs the "Face Sheet."
- Two (2) copies of "Finding of Emergency" prepared in accordance with Government Code Sections 11346.1 and 11346.5.
- One (1) copy of the "Economic and Fiscal Impact Statement" (Department of Finance form 399).
- Two (2) copies of "Express Terms"
- Two (2) copies "Nine Point Criteria" analysis.
- One (1) CD or DVD diskette containing electronic files of the above documents.

CERTIFICATION OF COMPLIANCE (Emergency)

Complete lines 1 through 8 and sign, date and identify title of signatory.

Submit the following:

- One (1) BSC "Face Sheet" (with original signature)
- One (1) copy of a delegation order, if other than the person authorized by statute signs the "Face Sheet."
- An Indexed rulemaking file.
- Certification of Compliance.
- One (1) copy of the "Economic and Fiscal Impact Statement" (Department of Finance form 399).
- Two (2) copies of "Final Express Terms."
- Two (2) copies of the "Final Statement of Reasons" prepared in accordance with Government Code Section 11346.9.
- Two (2) copies "Nine Point Criteria" analysis.
- One (1) CD or DVD diskette containing electronic files of the above documents.

CHANGES WITHOUT REGULATORY EFFECT

Complete lines 1 through 8 and sign, date, and identify title of signatory.

When submitting changes without regulatory effect, see required documents pursuant to California Code of Regulations, Title 24, Part 1, Section 1-421.

FINAL EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION

CA BUILDING STANDARDS
COMMISSION

DEC 12 2017

APPROVED

REGARDING PROPOSED CHANGES TO
CALIFORNIA BUILDING CODE, PART 2 &
THE CALIFORNIA EXISTING BUILDING CODE, PART 10
CALIFORNIA CODE OF REGULATIONS, TITLE 24

(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. (PART 1 – ADMINISTRATIVE CODE)

LEGEND FOR FINAL EXPRESS TERMS (combination of 45-day and 15-day changes)

1. For 45-day and 15-Day changes, existing California amendments or code language being modified appears in *italics*, with modified language underlined.
2. For 45-day and 15-Day changes, repealed text appears in ~~strikeout~~.

EXPRESS TERMS

PART 2, CHAPTER 1, DIVISION II
SCOPE AND ADMINISTRATION

107.2.7 Exterior balconies and elevated walking surfaces. [BSC] Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow, or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

110.3.8.1 Weather-exposed balcony and walking surface waterproofing. [BSC] Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved.

Exception: Where special inspections are provided in accordance with Section 1705.1.1, Item 3.

Notation:

Authority: Health and Safety Code Section 18934.5.

Reference(s): Health and Safety Code, Sections 18928, 18930, 18934.5, 18934.8. Government Code Section 11346.1.

DEC 12 2017

APPROVED

PART 2, CHAPTER 16

TABLE 1607.1
MINIMUM UNIFORM DISTRIBUTED LIVE LOADS, L_u ,
AND MINIMUM CONCENTRATED LIVE LOADS^a

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (lbs)
1. Apartments (see residential)	---	---
...	---	---
5. Balconies and decks ^b	Same as occupancy served <u>[BSC] 1.5 times the live load for the area served, not required to exceed 100</u>	---
...	---	---

Notation:

Authority – Health and Safety Code Section 18934.5.

Reference - Health and Safety Code Sections 18928, 18930, 18934.5, 18934.8. Government Code Section 11346.1.

PART 2, CHAPTER 23
WOOD

2304.12.2.5 **Supporting members for permeable floors and roofs.** Wood structural members that support moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, shall be of naturally durable or preservative-treated wood unless separated from such floors or roofs by an impervious moisture barrier. [BSC] The impervious moisture barrier system protecting the structure supporting floors shall provide positive drainage of water that infiltrates the moisture-permeable floor topping.

2304.12.2.6 **Ventilation beneath balcony or elevated walking surfaces.** [BSC] Enclosed framing in exterior balconies and elevated walking surfaces that are exposed to rain, snow or drainage from irrigation, shall be provided with openings that provide a net free cross-ventilation area not less than 1/150 of the area of each separate space.

Notation:

Authority – Health and Safety Code Section 18934.5.

Reference - Health and Safety Code Sections 18928, 18930, 18934.5, 18934.8. Government Code Section 11346.1.

PART 10, CHAPTER 1, DIVISION II
SCOPE AND ADMINISTRATION

101.8 **Maintenance.** [BSC] Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the building official shall have the authority to require a building or structure to be re-inspected. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

...
106.2.6 Exterior balconies and elevated walking surfaces. [BSC] Where the scope of work involves balconies or other elevated walking surfaces exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

...
109.3.8.1 Weather-exposed balcony and walking surface waterproofing. [BSC] Where the scope of work involves balconies or other elevated walking surfaces exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved.

Exception: Where special inspections are provided in accordance with Section 1705.1.1, Item 3.

Notation:

Authority – Health and Safety Code Section 18934.5.

Reference(s) – Health and Safety Code, Sections 18928, 18930, 18934.5, 18934.8. Government Code Section 11346.1.

