

**FINAL EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF THE STATE FIRE MARSHAL
REGARDING THE 2010 CALIFORNIA RESIDENTIAL CODE
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 2.5
2010 INTERIM RULEMAKING CYCLE**

The Office of the State Fire Marshal (SFM) proposes to make necessary changes to the 2010 edition of the California Residential Code (CRC), based on the 2009 International Residential Code (IRC). The SFM further proposes to:

- Adopt necessary amendments to the model code;
 - Repeal amendments to the model code that are no longer necessary.
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Legend for Express Terms:

1. **Existing California regulation or amendment brought forward without modification:** *All such language appears in Italics.*
 2. **Existing California regulation or amendment brought forward with modification:** *All such language appears in Italics, modified language is underlined.*
 3. **IRC language with new California amendment:** California amendments to IRC text appear underlined and in italics.
 4. **New California regulation or amendment:** California language appears underlined and in Italics.
 5. **Repealed text:** Shown as ~~Strikeout~~.
 6. **New California amendments that remove text:** Shown as ~~Strikeout~~.
 7. **Notation:** Authority and Reference citations are provided at the end of each chapter.
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**CHAPTER 1
DIVISION II
ADMINISTRATION**

R101.2 Scope. The provisions of the International California Residential Code for One- and Two-family Dwellings shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above *grade plane* in height with a separate means of egress and their *accessory structures*.

Exception: Live/work units complying with the requirements of Section 419 of the International California Building Code shall be permitted to be built as one- and two-family *dwellings* or townhouses. Fire suppression required by Section 419.5 of the International California Building Code when constructed under the International California Residential Code for One- and Two-family Dwellings shall conform to Section 903.3.1.3 of the International California Building Code.

R102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Property Maintenance Code* or the International California Fire Code, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

R104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code. Compliance with the specific performance-based provisions of the International Codes in lieu of specific requirements of this code shall also be permitted as an alternate.

R110.2 Change in use. Changes in the character or use of an existing structure shall not be made except as specified in Sections 3406 and 3407 of the International California Building Code.

Notation:

Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 17921, 18949.2

**CHAPTER 2
DEFINITIONS**

BEDRIDDEN PERSON. *A person, requiring assistance in turning and repositioning in bed, or being unable to independently transfer to and from bed, except in facilities with appropriate and sufficient care staff, mechanical devices if necessary, and safety precautions as determined in Title 22 regulations, by the Director of Social Services or his or her designated representative. Persons who are unable to independently transfer to and from bed, but who do not need assistance to turn or reposition in bed, shall be considered nonambulatory.*

The Director of Social Services or his or her designated representative shall make the determination of the bedridden status of persons with developmental disabilities, in consultation with the Director of Developmental Services or his or her designated representative.

The Director of Social Services or his or her designated representative shall make the determination of the bedridden status of all other persons with disabilities who are not developmentally disabled.

CHAPTER 3 BUILDING PLANNING

R325.3.2 Limitations six or less clients. *Group R-3.1 occupancies where nonambulatory clients are housed above the first story, having more than two stories in height or having more than 3,000 square feet (279 m²) of floor area above the first story shall not be of less than one-hour fire-resistance-rated construction throughout.*

In Group R-3.1 occupancies housing a bedridden client, the client sleeping room shall not be located above or below the first story.

Exception: *Clients who become bedridden as a result of a temporary illness as defined in Health and Safety Code Sections 1566.45, 1568.0832 and 1569.72. A temporary illness is an illness, which persists for 14 days or less. A bedridden client may be retained in excess of the 14 days upon approval by the Department of Social Services and may continue to be housed on any story in a Group R-3.1 occupancy classified as a licensed residential facility.*

Every licensee admitting or retaining a bedridden resident shall, within 48 hours of the resident's admission or retention in the facility, notify the local fire authority with jurisdiction of the estimated length of time the resident will retain his or her bedridden status in the facility.

R325.5.2.2 Hearing impaired. *See Section ~~907.9.4907.5.2.3~~ of the California Building Code.*

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.45, 1597.46, 1597.54, 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189

References: Health and Safety Code Sections 13143, 17921, 18949.2, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

APPENDIX M

HOME DAY CARE – R-3 OCCUPANCY

This Appendix is not applicable in California See Health and Safety Code Sections 1597.45, 1597.46, 1597.54 and 13143 regarding small family day care homes and large family day care homes. Provisions for day care facilities shall be in accordance with Section 1.1.3.1 for classification, R326 for large family day care, R325 for Group R-3.1 or the California Building Code.

Notation:

Authority: Health and Safety Code Sections 1597.40, 1597.44, 1597.45, 1597.46, 1597.54, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 17921, 18949.2