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**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF THE STATE FIRE MARSHAL (SFM)
REGARDING THE ADOPTION BY REFERENCE OF THE
2009 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE (IRC)
WITH AMENDMENTS INTO THE 2010 CALIFORNIA RESIDENTIAL CODE (CRC)
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 2.5**

The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE

(Government Code Section 11346.2)

The specific purpose of this rulemaking effort by the Office of the State Fire Marshal is to act accordance with Health and Safety Code section 18928, which requires all proposed regulations to specifically comply with this section in regards to the adoption by reference with amendments to a model code within one year after its publication.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in the 2009 International Residential Code and be published as the 2010 California Residential Code.

The general purpose of this proposed action is principally intended to adopt by reference amend and codify a new Part to the California Building Standards Code creating California Code of Regulations, Title 24, Part 2.5 based upon a more current edition of a model code the International Residential Code. The current California Building Code in effect for one- and two- family dwellings is the 2007 California Building Code which is based upon the 2006 International Building Code of the International Code Council. This proposed action:

- Repeal the adoption by reference of the 2006 International Building Code and incorporate and adopt by reference the 2009 International Residential Code for application and effectiveness in the 2010 California Residential Code.
 - Repeal certain amendments to the 2006 International Building Code and/or California Building Standards not addressed by the model code that are no longer necessary.
 - Adopt new building standards or necessary amendments to the 2009 International Residential Code that address inadequacies of the 2009 International Residential Code as they pertain to California laws.
 - Bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2007 California Building Standards Code.
 - Codify non-substantive editorial and formatting amendments from the format based upon the 2006 International Building Code to the format of the 2009 International Residential Code.
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[1]

**CHAPTER 1
SCOPE AND ADMINISTRATION
Part I — Scope and Application
DIVISION I
CALIFORNIA GENERAL CODE PROVISIONS**

The SFM propose to create two Divisions within Chapter 1 for existing administrative provisions being brought forward from CCR, Title 24, Part 2 and administrative provisions contained in the 2009 IRC. The creation of two divisions is a result of and direction made by the California Building Standards Commissions, Code Coordinating Council and Stakeholder discussions regarding relocating the base model code administrative provisions from an appendix to Chapter 1 of the code.

Sections 1.1 – 1.1.12

The SFM is proposing to maintain the adoption of those existing California provisions contained Sections 1.1 through 1.1.12 of other Parts of Title 24 in incorporate into the CRC with modification.

The SFM proposes to update the IBC reference from 2006 to 2009 IRC, and to make changes to provide consistency with other Parts of Title 24, administrative provisions. The SFM proposes to make nonsubstantive reference, grammatical, and punctuation corrections to Sections 1.1 through 1.1.12 for consistency with the Chapter 1, General Code Provisions of Title 24, Parts 2, 4, 5, and 9. The SFM proposes modifications to 1.1.5 to further clarify that the National Fire Code also includes the National Fire Code Standards by adding the term “standards”. The SFM proposes modifications to Section 1.1.8.1 are proposed to revise the mailing address for the Department of Housing and Community Developments (HCD) from a physical address to a post office box for mailings of findings to be filed with HCD. The SFM proposes modifications to clarify in Section 1.1.10 that complete copies of specified California Code of Regulations Titles are required to be maintained at the building official's office. These amendments do not create a change in regulatory effect.

1.1.3.1 through 1.1.3.1.1

As the State transitions into utilizing the construction provisions contained in the IRC as basis for the proposed CRC the SFM is proposing to maintain the occupancy classification of R-3 for dwellings and townhouses. The SFM is proposing to coordinate occupancy classifications with those contained in the CBC and CFC. This proposal reflects the SFM enforcement authority of regulations contained in Health and Safety Code Section 13146 that utilize the occupancy classification of R-3. Provisions contained in the California Fire Code such as fire apparatus access roads are scoped based on occupancy, these provisions are not contained in the CRC (2009 IRC). The SFM is further amending the proposed IRC to include provisions Residential Care Facilities housing six or fewer clients, Group R-3.1, these provisions are brought forward from the CBC and have no change in regulators effect (see Section R325). The occupancy classification contained in the CBC (2009 IBC) contain provision for dwelling construction and reference such classification. Where a building exceeds the scope of the proposed CRC (2009 IRC) the user is mandated to utilize the CBC which classifies the dwelling as R-3. Until the base model codes are fully coordinated at the national level the SFM contends that having two different methods of classifying buildings may problematic for local enforcing agencies and the SFM.

1.1.7.4

1.1.13

1.1.14

The SFM proposes to incorporate into the California General Code Provisions certain administrative provisions derived from the Building, Fire and Residential Code. These administrative provisions are proposed to be relocated from the proposed Division II of Chapter 1 of such codes as they are typically note adopted by SFM in the base model code. Relocating these provisions to Division I of the California General Code Provisions will provide statewide application and consistency. These amendments do not create a change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The

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rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Section, 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

[1.1]

Sections 1.11 – 111.10

The SFM is proposing to maintain the adoption of those existing California provisions contained Sections 1.11 through 1.11.10 of other Parts of Title 24 in incorporate into the CRC with modification.

SFM proposes to make nonsubstantive reference, grammatical, and punctuation corrections to Sections 1.11 through 1.11.10 for consistency with the Chapter 1, General Code Provisions of Title 24, Parts 2, 4, 5, and 9. SFM proposes modifications to 1.11.1 to further clarify the authority and reference for applications regulated by the SFM. SFM proposes modifications to clarify in Section 1.11.2.1.2 enforcement responsibilities for state owned buildings, state occupied buildings, and state institutions. SFM proposes modifications to remove obsolete language and terminology from Section 1.11.3.1 for public school plans and specifications and annual submission. These amendments do not create a change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Section, 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

[1.2]

CHAPTER 1 DIVISION II

The SFM proposes the Division II designation for the IBC Chapter 1 Administrative provisions - Sections 101 through 114.

The SFM proposes to adopt specific Sections of Chapter 1, Division II with the following amendments and California regulations. The SFM proposes to adopt only those Sections listed in the corresponding Matrix Adoption Table.

The SFM proposes to remove specific Sections contained in Section 101 and 102 of the IBC that are duplicative of the California Administrative provisions in Section 1.1. The IRC Sections proposed for deletion and the corresponding California Sections are shown as follows:

IRC Section to be removed	Corresponding California Sections
R101.1	1.1.1
R101.2	1.1.3
R101.3	1.1.2
R102.1	1.1.7.3
R102.2	1.1.12
R102.4	1.1.5
R102.5	1.1.4
R102.6	1.1.12

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102.3

102.5

102.6

The SFM proposes to incorporate the above Sections into the California General Code Provisions. These administrative provisions are proposed to be relocated from the proposed Division II of Chapter 1 of such codes as they are typically not adopted by SFM in the base model code. Relocating these provisions to Division I of the California General Code Provisions will provide statewide application and consistency. These amendments do not create a change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Section, 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

[2]

CHAPTER 2 DEFINITIONS

The SFM is proposing to maintain the adoption of those existing California definitions contained Chapter 2 of other Parts of Title 24 in incorporate into the CRC without modification. The SFM proposes to adopt specific Sections or definitions of Chapter 2 with the following amendments and California regulations. The corresponding CBC Section which the amendment is derived from is shown in parentheses following the Section. The SFM proposes to adopt only those sections or definitions listed in the corresponding Matrix Adoption Table.

R201.3 (201.3 CBC)

The SFM proposes to adopt the above-listed model code section with California amendment. This California amendment is consistent with existing California amendment in Chapter 2 of the CBC. It has been brought forward from the CBC and placed into the CRC to maintain clarity and consistency in the application and enforcement of code provisions. These amendments will provide the user with an accurate reference to the correct name of the codes to be used in California.

R201.4 (201.4 CBC)

The SFM proposes to adopt the above-listed model code section with California amendment. The SFM is proposing this amendment to add current SFM language from Section 201.4 of the CBC and CFC. The SFM language refers to Webster's dictionary for terms not specifically defined in code. This amendment is consistent with the previous requirements contained in the 2007 California Building and Fire Code and consistent with the adoption of the IBC and IFC. This amendment does not create a change in regulatory effect.

Section R202 Definitions

AGED HOME OR INSTITUTION (310.2 CBC)

APPROVED AGENCY (202 CBC)

APPROVED LISTING AGENCY (202 CBC)

APPROVED TESTING AGENCY (202 CBC)

BEDRIDDEN PERSON

BUILDING (202 CBC)

CARE AND SUPERVISION (310.2 CBC)

CATASTROPHICALLY INJURED (310.2 CBC)

CHILD-CARE CENTER (310.2 CBC)

CHILD OR CHILDREN (310.2 CBC)

CHRONICALLY ILL (310.2 CBC)

CONGREGATE LIVING HEALTH FACILITY (CLHF) (310.2 CBC)

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CONGREGATE RESIDENCE (310.2 CBC)
DAYCARE (310.2 CBC)
DAY-CARE HOME, LARGE FAMILY (310.2 CBC)
DAY-CARE HOME, SMALL FAMILY (310.2 CBC)
ENFORCING AGENCY (310.2 CBC)
FULL-TIME CARE (310.2 CBC)
INFANT (310.2 CBC)
LISTED (202 CBC)
MENTALLY RETARDED PERSONS, PROFOUNDLY OR SEVERELY (310.2 CBC)
NONAMBULATORY PERSONS (310.2 CBC)
NONCOMBUSTIBLE MATERIAL (202 CBC)
PROTECTIVE SOCIAL CARE (310.2 CBC)
RESIDENTIAL CARE FACILITY FOR THE CHRONICALLY ILL (RCF/CI) (310.2 CBC)
RESIDENTIAL CARE FACILITY FOR THE ELDERLY (RCFE) (310.2 CBC)
RESIDENTIAL FACILITY (RF) (310.2 CBC)
RESTRAINT (202 CBC)
STATE-OWNED/LEASED BUILDING (202 CBC)
TERMINALLY ILL (310.2 CBC)

The SFM proposes to adopt the definitions listed above as amended or new California definitions. The amended model code definitions or new California amendments are consistent with existing California amendments in Chapter 2 and Section 310.2 of the CBC. They have been brought forward from the CBC and placed into the CRC to reflect statutory requirements that consistently apply to all SFM regulated occupancies including residential dwellings and residential care facilities. The amendments maintain continuity and provide clarity and consistency in the application and enforcement of code provisions. These amendments do not create a change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Section, 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

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CHAPTER 3 BUILDING PLANNING

The SFM is proposing to maintain the adoption of those existing California regulations contained other Parts of Title 24 and incorporate into the CRC without modification. The SFM proposes to adopt specific Sections of Chapter 3 with the following amendments and California regulations. The corresponding CBC Section which the amendment is derived from is shown in parentheses following the Section. The SFM proposes to adopt only those sections listed in the corresponding Matrix Adoption Table.

R301.1 (302.1 CBC)

The SFM proposes to adopt the above-listed model code section with California amendment. The SFM is proposing to bring forward the requirements for existing buildings housing existing protective social care facilities. This amendment is consistent with the requirements contained in the CBC. This amendment does not create a change in regulatory effect.

R302.1

Table R302.1(1)

Table R302.1(2)

R309.7

The SFM received a petition for regulation change for the reduction in building setback to property lines for building equipped with automatic fire sprinkler systems. The SFM has also received similar proposals that are being proposed

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to the IRC in the 2009/2010 ICC code cycle which reduce building setback to property lines for building equipped with automatic fire sprinkler systems. The petitioner requests that dwellings protected with automatic fire sprinkler systems be permitted to be constructed to within 3 feet of the property line without additional fire-resistive exterior wall construction or limitations on openings.

The SFM has reviewed the justification provided by in the petition for change, including additional information provided from proposals to the IRC in the 2009/2010 ICC code cycle. The SFM concurs with the petitioner and has proposed modification the above Sections and Tables for the reduction in building setbacks. Furthermore, the SFM concurs with the supporting information developed by the Joint Fire Services Review Committee in their efforts to modify the IRC. The following justifications and additional information was provided by the petitioner:

1. Lack of justification for national provision: Until very recently, the Department of Housing and Community Development (HCD) used the provisions of the Uniform Building Code (UBC), published by the International Conference of Building Officials (ICBO), as the national basis for California's residential building standards. For at least eighty (80) years (see 1927 UBC, Section 1403; page 48), the UBC allowed walls and openings in R-3 occupancies (One-and Two-Family Dwellings) to be constructed no less than three feet from the property line.

When HCD switched over to the 2006 International Building Code (IBC), the Department modified that portion of the IBC relative to R-3 walls and openings to be consistent with the 2006 edition of the International Residential Code. This resulted in a change to the longstanding minimum separation distance of "3 feet" to "5 feet". However, investigation of the history of this IRC provision has yet to find any substantial justification explaining why the "5 foot" dimension was incorporated into the 2006 IRC.

More importantly, the 2009 Edition of the International Residential Code contains a newly adopted mandate for residential fire sprinkler systems in all new R-3 occupancies. It should be pointed out that an automatic fire sprinkler system, installed in accordance with an NFPA-13D fire sprinkler system will be "expected to prevent flashover (total involvement) in the room of fire origin". Given this significant increase in the fire safety provisions of R-3 construction, coupled with the historical fact that California dwellings had already been performing well under the three foot property-line separation for many decades, there is simply no justification to continue to maintain the 5-foot property line separation as specified in the 2009 IRC.

2. This proposal is consistent with HCD's effort to promote "Green Building" in R-3 construction: Simply put, the change to a 5-foot property-line separation caught many in the industry and local government by surprise. In recent years, local jurisdictions, the environmental community and industry have been investigating ways to increase housing density while continuing to maintain health and life safety. Given the fact that the longstanding 3-foot separation distance had worked so well in California (and for so long); it was difficult to understand why such a change had been made at the national level. Clearly, the most common type of housing construction in California is "production-style housing" where new residential communities are planned and constructed in "phases" consisting of 8-16 homes at a time. An additional four (4) feet per lot [(5'- 3') x 2 side-yards = 4'] of buildable area is significant when you consider that it may well allow for 1-2 additional homes per project. This offers the ability for a more resource-efficient planning and land-use design and is very consistent with HCD's recent adoption of the nations first set of statewide residential green building standards.

Reference to the authority of the state agency to take the rulemaking action requested.

SFM: Health and Safety Code Sections 13143, et al and 17921(b)

HCD: State Housing Law; Health and Safety Code Section 17921, et al.

3. Additional information provided by the Joint Fire Services Review Committee via the petitioner regarding similar proposals for the 2009/2010 ICC code cycle to revise the IRC. In the last code cycle, Proposal RB67-07/08 (which was withdrawn at the Final Action Hearings) provided as one of its sprinkler alternatives a reduction in exterior wall fire ratings that we believe still is a reasonable and justifiable sprinkler incentive. This proposal will provide a reasonable sprinkler alternative in the IRC when residential sprinkler systems are installed.

This proposal provides a significant financial and design incentive for residential sprinklers. From a financial perspective, the proposal permits cost reductions related to exterior wall construction and, in the case of a planned community, could result in more developable lots. From a design advantage perspective, the proposal permits homes to have larger footprints without triggering fire-rated exterior walls and permits more flexible use of windows on walls

facing property lines.

From a fire safety perspective, the proposed requirements under new Table R302.1(2) generally put the code back where it was in 2000 and 2003, so there is essentially no concession compared to how homes have been built under the IRC since the code was first published in 2000. In 2006, the IRC's fire separation distances for non-rated exterior walls were increased from 3 feet to 5 feet for the purpose of coordinating the IRC's residential separation distances with those in the IBC (Code Change G128-03/04). History shows that residential sprinklers reliably limit fire spread to the room of origin, and with such protection, allowing the code to revert to a 3-foot separation distance provides a reasonable compensation for sprinklers. Certainly, the probability of a favorable outcome in the event of a fire is much better for a sprinklered building with a 3-foot separation versus a nonsprinklered building with a 5-foot separation, so encouraging sprinklers is a preferred approach.

The proposed garage requirement for R309.7 provides a limitation on the application of new Table R302.1(2) by only allowing use of sprinkler incentives in areas where sprinklers are provided. Normally, garages aren't required to have sprinklers; however, where a designer chooses to take advantage of reduced separation requirements for a garage wall, it is appropriate for the garage to be provided with sprinklers as a means of property protection. Proposed design criteria for sprinklers were derived from NFPA 13R Section 6.8.3.3, which addresses sprinkler protection for garages in buildings protected by NFPA 13R sprinkler systems. Often, garage protection is provided by dry pendent or dry sidewall sprinklers connected to a wet pipe sprinkler system.

R302.2

The SFM is proposing amendment of this Section to provide the code user with the correct reference to the California Electrical Code. The ICC Electrical Code provisions of the IRC are not proposed for adoption in California. The proposed amendment does not represent change in its effect from the 2007 California Building Standards Code and is being added for clarity

R302.5.1 (406.1.4 item1 CBC)

The SFM is proposing to bring forward language contained in the CBC requiring doors between the dwellings and attached garages to be self-closing and self-latching into the CRC. This proposal is being added to correlate pertinent provisions of the CBC with the proposed adoption of the IRC for the 2010 CRC. This amendment does not create a change in regulatory effect.

R302.6 (406.1.4 item3 CBC)

TABLE R302.6

The SFM is proposing to bring forward language contained in the CBC requiring fire resistive separations between the carport and enclosed areas including dwelling areas located above the carport into the CRC. Additionally, the SFM is proposing to add carports to the above table to specify the minimum type of separation required. This proposal is being added to correlate pertinent provisions of the CBC with the proposed adoption of the IRC for the 2010 CRC. This amendment does not create a change in regulatory effect.

R302.9.4 (803.1.2 CBC)

R302.9.5 (803.10 CBC)

The SFM proposes to adopt the above-listed model code sections with California amendment. The SFM is proposing to correlate provisions for alternate flame test methods between the CBC, CFC and that of the CRC for residential occupancies and residential care facilities. This amendment is consistent with the requirements contained in the CBC and CFC. This amendment does not create a change in regulatory effect.

R302.13

The SFM is proposing amendment of this Section to provide the code user with the correct reference to the California Energy Code. The ICC Energy Code provisions of the IRC are not proposed for adoption in California. Additional amendments proposed to this section are being made to coordinate with the Department of Housing and Community Developments proposed modifications and the requirements of the California Energy Code The proposed amendment does not represent change in its effect from the 2007 California Building Standards Code and is being added for clarity

R310.1.4 (1026.4 CBC)

R310.4 (1026.4 CBC)

R310.5

The SFM proposes to adopt the above-listed model code sections with California amendment. The SFM is proposing to bring forth these existing SFM amendments in accordance with Health and Safety Code 13113.9 to clarify operational requirements for escape and rescue openings. Bars, grills, grates and similar devices used for security purposes have contributed to many fire deaths and injuries. When used on emergency escape and rescue opening and doors, these devices can greatly slowdown or prevent the victims of residential emergencies from exiting the building. Because of this, it is very important that we maintain these existing amendments. This amendment does not create a change in regulatory effect.

The SFM further proposes to remove the provisions that would allow emergency escape windows to be located under a deck or porch that may be located as low as 36 inches. Such provisions for low decks or porches, with no size limit only interfere, constrain or obstruct fire fighter operations when performing rescue or when locating openings in dwellings to provide suppression. Furthermore, with no provisions or enforcement mechanism to prevent such low decks or porches from becoming storage areas will only lead to blocked routes for emergency escape windows.

R312.2 Height (1013.3 CBC)

The SFM proposes to adopt the above-listed model code section and further modify with existing California amendment. The SFM amendment is provided to maintain the same 42" guard height requirement as required in the CBC. The basis for this proposed amendment was stated in the SFM Initial Statement of Reasons during the 2006 Triennial Code Adoption Cycle which identified the November-December "Building Standards" publication of the International Conference of Building Officials (ICBO) article titled "Climbable Guards: The Special Enemy of the World's 2- and 3-year old Children." The article cites studies conducted with children of various ages negotiating various guard heights and types. The article further states that most two- and three-year old children have sufficient arm and shoulder strength to climb to a height of 34 inches and then fit through the 8-inch opening at the top of a guard which would be allowed by the 2006 IBC. The 2009 IRC has no guard requirements above 36 inches. Therefore, the safety concern of a 36 inch guard remains prevalent. This California amendment is germane to the construction of single and two family dwellings as well and provide uniformity, additional clarity, and consistency for application and enforcement. This amendment does not create a change in regulatory effect.

R313

R313.1

R313.1.1

R313.2

R313.2.1

The SFM proposes to adopt the above-listed model code sections with California amendment. The SFM proposes to amend 313.1.1 and 313.2.1 to remove a reference to P2904 and replace with R313.3 for multipurpose fire sprinkler systems. The SFM proposes as part of this package to include the multipurpose fire sprinkler system requirements in R313.3 (see R313.3 for those provisions and rationale). The SFM further proposed to reference NFPA 13D systems for townhouses in Section R313.1.1, this amendment is consistent with the provisions of the CBC and CFC as well as the scoping provisions of NFPA 13D.

R313.3 through R313.3.8.2 [P2904 through P2904.8.2]

Tables R313.3.2.2 through R313.3.6.2(9) [Tables P2904.2.2 through P2904.6.2(9)]

The SFM proposes to adopt the above-listed model code sections with California amendment. SFM proposes to adopt Section P2904 of the IRC and renumber to make R313.3. SFM is not proposing to adopt the provisions of Chapter P29, however, the provisions contained in P2904 are referenced in Section R313.3 for the design and installation automatic fire sprinkler systems one- and two-family dwellings and townhouse.

Additional amendments proposed correct references to other provisions of the IRC that are not proposed for adoption to the California Plumbing Code (CPC). Provisions of the CPC for protection from freezing (313.6 CPC), testing of the system (609.4 CPC) and underground piping materials (table 6-4) are contained therein.

R314.3.1 (907.2.10.5.2 CBC/CFC)

R314.4 (907.3.2.3, 907.2.10.2 CBC/CFC)

R314.5 (907.3.2.2 907.2.10.3 CBC/CFC)

R314.6 (907.2.10.5 CBC)

R314.6.1 (907.2.10.5.1 CBC)

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R314.6.2 (907.2.10.5.2 CBC)

R314.6.3 (907.2.10.5.3 CBC)

The SFM proposes to adopt the above-listed model code sections with California amendment. The SFM is proposing to bring forth these existing SFM amendments from the CBC and CFC. The SFM is correlating these amendments which are derived from existing amendments and California regulations contained in the CBC and CFC as mandated in Health and Safety Code 13113.7 and 13113.8.

R325 through R325.8 (425 through 425.10 CBC)

R325.5.2 (907.2.10.1.2, 907.2.10.1.5 CBC/CFC)

R325.5.2.1 (907.5.2.1.3 CBC/CFC)

R325.5.2.3 (907.5.2.3 CBC/CFC)

R325.5.2.4 (907.5.2.3.5 CBC/CFC)

R325.9 (509.10 CBC)

The SFM proposes to adopt the above-listed California regulations into the CRC. The SFM is proposing to bring forth these existing SFM amendments to bring over licensed 24-hour care facilities into the CRC as Group R-3.1 Occupancies. These facilities are statutorily mandated. These amendments are consistent with the previous requirements contained in the 2007 California Building Code and are further coordinated with proposed modifications for the 2010 CBC and CFC. These amendments do not create a change in regulatory effect.

R326 through R326.8 (445 through 445.8 CBC)

The SFM proposes to adopt the above-listed California regulations into the CRC. SFM is proposing these existing California regulations that bring forth statutory requirements (Health and Safety Code 1597.46 1597.54) for large family day care homes. These facilities are not recognized in the IRC as in California, based on licensing designation. These California regulations do not create a change in regulatory effect.

R327 through R327.6.5.1 (701A through 705A.1 CBC)

The SFM proposes to adopt the above-listed California regulations into the CRC. SFM is proposing to bring forth these California regulations to include materials and construction methods for exterior wildfire exposure. Necessary modifications are also proposed to these provisions contained in the CBC and are being correlated herein. These California regulations and modifications are consistent with the previous requirements contained in the 2007 CBC, which will maintain the fire and life safety policy of the SFM. These California regulations do not create a change in regulatory effect except where modified in the CBC rulemaking.

R328 (406.7 CBC)

R328.1 (406.7.1 CBC)

R328.2 (406.7.2 CBC)

R328.3 (406.7. CBC)

R328.4 (406.7.4 CBC)

The SFM proposes to adopt the above-listed California regulations into the CRC. The SFM is proposing to bring forth current California requirements for electrical vehicles contained in the CBC. These requirements are not found in the IRC. Federal and State legislation encourage the use of zero pollution vehicles in the public and private sectors. The State of California encourages the sale and use of electric vehicles through legislation and incentives. Electric Vehicle charging stations can be installed in any occupancy, including residential, commercial, retail and public buildings. The SFM amended the 1998 California Building Code to include provisions for the installation of electric vehicle charging stations. These provisions are in the current code but not in the proposed code. The following provisions are recommended for adoption into the model code to provide an equivalent level of protection to the current State Code and encourage proliferation of advancing technology while providing for public health and safety. The amendment does not create a change in regulatory effect.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Section, 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2, Government Code Sections 51176, 51177, 51178, 51179, 51189, Public Resources Code Sections 4201 through 4204.

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CHAPTER 4 FOUNDATIONS

CHAPTER 5 FLOORS

CHAPTER 6 WALL CONSTRUCTION

CHAPTER 7 WALL COVERING

The SFM proposes to not adopt Chapters 4 through 7 pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Building Code and published as the 2010 California Building Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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CHAPTER 8 ROOF-CEILING CONSTRUCTION

The SFM proposes to adopt specific Sections of Chapter 8 without amendment. The SFM proposes to adopt only those sections listed in the corresponding Matrix Adoption Table.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13132.7, 13143, 13143.6, 17921 and 18949.2.

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CHAPTER 9 ROOF ASSEMBLIES

The SFM is proposing to maintain the adoption of those existing California regulations contained other Parts of Title 24 and incorporate into the CRC without modification. The SFM proposes to adopt specific Sections of Chapter 9 with the following amendments and California regulations. The corresponding CBC Section which the amendment is derived from is shown in parentheses following the Section. The SFM proposes to adopt only those sections listed in the corresponding Matrix Adoption Table.

R902.1 (1505.1.3 CBC)

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R902.1.1 (1505.1.1 CBC)

R902.1.2 (1505.1.2 CBC)

R902.1.3 (1505.1.3 CBC)

R902.1.4 (1505.1.4 CBC)

R902.2 (1505.6 CBC)

The SFM proposes to adopt the above-listed model code sections with California amendment. The SFM is proposing to bring forth these existing SFM amendments and California regulations from the CBC and CFC relating to minimum roof classifications in accordance with Health and Safety Code 13132.7. The SFM is correlating these amendments and California regulations which are derived from existing amendments and California regulations contained in the CBC and CFC.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13132.7, 13143, 13143.6, 17921 and 18949.2.

[7]

CHAPTER 10 CHIMNEYS AND FIREPLACES

The SFM is proposing to maintain the adoption of those existing California regulations contained other Parts of Title 24 and incorporate into the CRC without modification. The SFM proposes to adopt specific Sections of Chapter 10 with the following amendments and California regulations. The corresponding CBC Section which the amendment is derived from is shown in parentheses following the Section. The SFM proposes to adopt only those sections listed in the corresponding Matrix Adoption Table.

R1003.9.1 (2113.9.1 CBC)

The SFM proposes to adopt the above-listed model code sections with California amendment. The SFM is proposing to bring forth these existing SFM amendments and California regulations from the CBC and CFC. The SFM is correlating these amendments and California regulations which are derived from existing amendments and California regulations contained in the CBC and CFC.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

[8]

Part IV—Energy Conservation

CHAPTER 11 ENERGY EFFICIENCY

Part V—Mechanical

CHAPTER 12 MECHANICAL ADMINISTRATION

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CHAPTER 13 GENERAL MECHANICAL SYSTEM REQUIREMENTS

CHAPTER 14 HEATING AND COOLING EQUIPMENT

CHAPTER 15 EXHAUST SYSTEMS

CHAPTER 16 DUCT SYSTEMS

CHAPTER 17 COMBUSTION AIR

CHAPTER 18 CHIMNEYS AND VENTS

CHAPTER 19 SPECIAL FUEL-BURNING EQUIPMENT

CHAPTER 20 BOILERS AND WATER HEATERS

CHAPTER 21 HYDRONIC PIPING

CHAPTER 22 SPECIAL PIPING AND STORAGE SYSTEMS

CHAPTER 23 SOLAR SYSTEMS

Part VI—Fuel Gas

CHAPTER 24 FUEL GAS

Part VII—Plumbing

CHAPTER 25 PLUMBING ADMINISTRATION

CHAPTER 26

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GENERAL PLUMBING REQUIREMENTS

CHAPTER 27 PLUMBING FIXTURES

CHAPTER 28 WATER HEATERS

CHAPTER 29 WATER SUPPLY AND DISTRIBUTION The provisions of Section P2904 relocated to Section R313.3.

CHAPTER 30 SANITARY DRAINAGE

CHAPTER 31 VENTS

CHAPTER 32 TRAPS

CHAPTER 33 STORM DRAINAGE

Part VIII—Electrical

CHAPTER 34 GENERAL REQUIREMENTS

CHAPTER 35 ELECTRICAL DEFINITIONS

CHAPTER 36 SERVICES

CHAPTER 37 BRANCH CIRCUIT AND FEEDER REQUIREMENTS

CHAPTER 38 WIRING METHODS

CHAPTER 39 POWER AND LIGHTING DISTRIBUTION

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CHAPTER 40 DEVICES AND LUMINAIRES

CHAPTER 41 APPLIANCE INSTALLATION

CHAPTER 42 SWIMMING POOLS

CHAPTER 43 CLASS 2 REMOTE-CONTROL, SIGNALING AND POWER-LIMITED CIRCUITS

The SFM proposes to not adopt Chapters 11 through 43 pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

[9]

Part IX—Referenced Standards

CHAPTER 44 REFERENCED STANDARDS

The SFM is proposing to maintain the adoption of those existing California regulations contained other Parts of Title 24 and incorporate into the CRC without modification. The SFM proposes to adopt specific standards contained in Chapter 44 with the following amendments and California regulations. The corresponding CBC Section which the amendment is derived from is shown in parentheses following the Section. The SFM proposes to adopt Chapter 44 with amended standards or California regulations listed in the corresponding Matrix Adoption Table.

ASTM D 2898—04 - Test Methods for Accelerated Weathering of Fire-retardant-treated Wood for Fire Testing
ASTM D 3201—07 - Test Method for Hygroscopic Properties of Fire-retardant Wood and Wood-base Products
ASTM D 3909—97b(2004)e01 - Specification for Asphalt Roll Roofing (Glass Felt) Surfaced with Mineral Granules
ICC-ES EG107 - Evaluation guideline for determination of Volatile Organic Compound (voc) content
UBC Standard 15-2 - Test Standard for determining the Fire Retardancy of Roof-covering Materials
UBC Standard 15-3 - Wood Shakes
UBC Standard 15-4 - Wood Shingles
NFPA 13D—07 - Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes
NFPA 13R—07 - Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height
NFPA 72—07 - National Fire Alarm Code
NFPA 252—03 - Standard Methods of Fire Tests of Door Assemblies
NFPA 257—07 - Standard for Fire Test for Window and Glass Block Assemblies
SFM 12-3 - Releasing Systems for Security Bars in Dwellings
SFM 12-7A-1 - Exterior Wall Siding and Sheathing

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SFM 12-7A-2 - Exterior Window

SFM 12-7A-3 - Under Eave

SFM 12-7A-4 - Decking

The SFM proposes to adopt the above-listed standards with California amendment. The SFM is proposing to bring forth these existing SFM amendments from the CBC and CFC. The SFM is correlating these amendments which are derived from existing amendments and California regulations contained in the CBC and CFC.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

[10]

**APPENDIX A
SIZING AND CAPACITIES OF GASPIPING**

**APPENDIX B
SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I
APPLIANCES, AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS**

**APPENDIX C
EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT VENT VENTING SYSTEMS**

**APPENDIX D
RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN EXISTING APPLIANCE INSTALLATION**

**APPENDIX E
MANUFACTURED HOUSING USED AS DWELLINGS**

**APPENDIX F
RADON CONTROL METHODS**

**APPENDIX G
SWIMMING POOLS, SPAS AND HOT TUBS**

**APPENDIX H
PATIO COVERS**

**APPENDIX I
PRIVATE SEWAGE DISPOSAL**

**APPENDIX J
EXISTING BUILDINGS AND STRUCTURES**

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APPENDIX K SOUND TRANSMISSION

APPENDIX L PERMIT FEES

The SFM proposes to not adopt Appendices A through L pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

[11]

APPENDIX M ~~HOME DAY CARE – R-3 OCCUPANCY~~ *Not Used*

The SFM proposes to not adopt Appendix M and remove the provisions contained therein pursuant to Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72, 1569.78, 1597.45, 1597.46, 1597.54, 11159.2, 13108, 13113, 13114, 13131.5, 13133, 13143, 13143.6, 17921 and 18949.2.

The SFM proposes to remove Appendix M from the CRC. 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 care facilities or the California Building Code.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Section, 1250, 1502, 1568.02, 1569.72, 1569.78, 1597.45, 1597.46, 1597.54, 11159.2, 13108, 13113, 13114, 13131.5, 13133, 13143, 13143.6, 17921 and 18949.2.

[12]

APPENDIX N VENTING METHODS

APPENDIX O GRAY WATER RECYCLINGSYSTEMS

APPENDIX P SIZING OF WATERPIPING SYSTEM

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APPENDIX Q ICC INTERNATIONAL RESIDENTIAL CODE ELECTRICAL PROVISIONS/NATIONAL ELECTRICAL CODE CROSSREFERENCE INDEX

The SFM proposes to not adopt Appendices N through Q pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 International Residential Code and published as the 2010 California Residential Code pursuant to Health and Safety Code Sections 13108, 13113, 13114, 13131.5, 13143, 13143.6, 17921 and 18949.2.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

(Government Code Section 11346.2(b)(2))

The SFM did not rely on any technical, theoretical, and empirical study, report, or similar documents outside of the 2009 IRC in proposing that CBSC adopt said model code as a reference standard for the placement of SFM's existing regulatory amendments of the 2010 CRC.

CONSIDERATION OF REASONABLE ALTERNATIVES

(Government Code Section 11346.2(b)(3)(A))

The SFM has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed adoption by reference with SFM amendments. Therefore, there are no alternatives available to the SFM regarding the proposed adoption of an electrical code.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

(Government Code Section 11346.2(b)(3)(B))

The SFM has determined that no alternative available that would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed adoption by reference with SFM amendments. Therefore, no alternatives have been identified or that have otherwise been identified and brought to the attention of the SFM that would lessen any adverse impact on small business.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

(Government Code Section 11346.2(B)(4))

The SFM has made an determination that this proposed action will not have a significant adverse economic impact on business. Health and Safety Code Section 18928 requires the SFM, when proposing the adoption of a model code, national standard, or specification shall reference the most recent edition of the applicable model code, national standard, or specification. Therefore, there are no other facts, evidence, documents, testimony, or other evidence on which the SFM relies to support this rulemaking.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

(Government Code Section 113465.2(b)(5))

The SFM has determined that this proposed rulemaking action does not unnecessary duplicate or conflict with federal regulations contained in the Code of Federal Regulations that address the same issues as this proposed rulemaking.

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