



# News for California Building Departments

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## THE WILLDAN LETTER

### California Offices Providing Building Department Services

2150 River Plaza Drive, Suite 300  
Sacramento, CA 95833  
(916) 924-7000

2401 East Katella Ave., Suite 450  
Anaheim, CA 92806  
(714) 978-8200

13191 Crossroads Pkwy N, Suite 405  
Industry, CA 91746  
(562) 908-6200

2014 Tulare Street, Suite 515  
Fresno, CA 93721  
(559) 443-5290

650 East Hospitality Lane, Suite 400  
San Bernardino, CA 92408  
(909) 386-0200

374 Poli Street, Suite 101  
Ventura, CA 93001  
(805) 653-6597

938 14th Street, Suite 200  
Marysville, CA 95901  
(530) 749-2373

231 Columbia Way (East Avenue M)  
Lancaster, CA 93535  
(661) 945-8848



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### Previous Issues

### THIS ISSUE: GOVERNOR'S ACTION ON 2007 BILLS



In this newsletter you will find information useful to California Building Departments, including:

▶ Governor's action on bills of interest to Building Departments

▶ Multi-story Apartments Accessibility

△ Building Standards Code Changes in 2008

▶ Certified Access Specialist Public Hearing



Dates of events and training

▶ And more...



### IMPORTANT DATES

**Oct. 22-26, 2007:** Education Week at Concord. Details: [www.calbo.org](http://www.calbo.org).

**Nov. 5, 2007:** Start of the 2007 Code Adoption Cycle to result in the issuance of any necessary supplements to 2007 edition of California Building Standards Code (CCR Title 24). Expect Chapter 11A and 11B proposals.

**Nov. 5-9, 2007:** Education Week at Ontario. Details: [www.calbo.org](http://www.calbo.org).

**Nov. 14, 2007:** Public hearing by the Building Standards Committee. Watch for an agenda at the [BSC's website](http://www.bsc.ca.gov).

**Dec. 14, 2007:** Last date to apply for the IAPMO certification ex-

ams held on 1/19/08 in Oakland, Oroville, Ontario, Sacramento and Ventura. Visit [IAPMO](http://www.iapmo.org).

**January 1, 2008:** Effective date of the 2007 edition of the California Building Standards Code (Cal Code of Regulations Title 24).

## DID YOU KNOW?

### Multi-story Apartments Accessibility



Did you know that a multi-story apartment building may need to be made accessible throughout if it is designed for senior citizen living? Its true! Chapter 11A of the California Building

Code regarding privately funded multifamily dwellings, only requires access by elevators or ramps to the first floor with dwelling units of a multistory building when such floor is above other occupancies or grade. In a non-elevator building, access is not required to additional floors if there are no common use areas.

However, section 51.2 of the California Civil Code, within a portion of law known as the Unruh Civil Rights Act, requires “access to all common use areas and housing units within the development shall be provided without use of stairs, either by means of an elevator or sloped walking ramps”. The Civil Code defines senior citizen housing as a housing development designed for people of age 55 or greater. Such housing is exempted from the prohibition against age discrimination in the sale, rent or lease of housing, when designed and equipped for senior citizens as specified. Among the requirements other than access is for a common room or space for social contact, and refuse collection shall be provided in a manner that requires a minimum of physical exertion by residents.

Additionally, the project must also comply with applicable provisions of the federal Fair Housing Act and Americans with Disabilities Act. For more detail see the full text of this Civil Code section at the [California Law website](#).

## WHAT'S UP WITH THE STATE?



- ▶ The California Building Standards Commission will begin the 2007 Code Adoption Cycle on November 5, 2007. By that date all state adoption agencies proposing additions, deletions, or amendments to the 2007 editions of the California Building Standards Code in Title 24, **must have their rulemaking files to the Commission**. The Commission expects to hold Code Advisory Committee meetings in January 2008 leading to starting a 45-day public comment period in February 2008 followed by a public hearing in July 2008. Proposals that are adopted will become effective in early 2009.
- ▶ On July 13, 2007, the Division of the State Architect (DSA) conducted a public hearing regarding their Certified Access Compliance program regulations proposed for placement in Title 21 of the California Code of Regulations. The proposed regulations are to implement Chapter 872 of the 2003 Statutes that enacted Government Code sections 4459.5 through 4459.8 **establishing a certified access specialist program**. The record of testimony is available at [DSA's website](#) along with the proposed regulatory text. Considerable hearing testimony related to the proposed fee of \$1,960 for a three-year certification, and a renewal fee of \$1,400.

### USEFUL WEBSITES

[State Fire Marshal](#)

[California Legislature](#)

[Department of Housing and  
Community Development](#)

[California Energy Commission](#)

[California Building Standards  
Commission](#)

[U.S. Green Building Council](#)

[Environmental Building News](#)

[Global Green USA](#)

- ▶ The Office of the State Fire Marshal issued an [Information Bulletin](#) dated September 28, 2007, to advise of an emergency adoption to revise the effective date for enforcement of the Wildland-Urban Interface Building Standards in Chapter 7A of the California Building Code (CBC). On September 20, 2007, the Building Standards Commission approved a proposal by the SFM to postpone the effective date to July 1, 2008, in areas designated as Local Agency Very-High Fire Hazard Severity Zones. In all other areas those standards become effective on January 1, 2008.

## LEGISLATION OF INTEREST TO BUILDING DEPARTMENTS

Each year at this time we delay issuance of this October-December edition of our newsletter until the Governor has acted on the bills we tracked during the year. The Governor's deadline for acting on 2007 legislation was October 14, 2007. Noteworthy bills that have been signed and contain requirements with impact on building departments that will be effective on January 1, 2008 follow. Some noteworthy bills that were vetoed are also discussed.



- ▶ AB 382: Among other unrelated things, amends Health and Safety Code section 115928 by removing paragraph "c" and adding new section 115928.5 to require the installation of a pool anti-entrapment device when an existing swimming pool is modified under permit. This corrects the requirement established last year by AB 2977 requiring the anti-entrapment device when a permit was issued for home remodeling.
- ▶ AB 715: Amends Health and Safety Code section 17921.3 to require high efficiency toilets and urinals after January 1, 2014. High efficiency is defined as 1.28 gallons per flush for toilets and urinals of 0.5 gallons per flush. Requirements will be phased-in over a period beginning in 2010. See the bill for more detail and exceptions.
- ▶ AB 1406: Amends Section 13553 of the Water Code to allow the use of recycled water for the flushing of toilets and urinals in condominiums under specified conditions.
- ▶ AB 888 and AB 1058 proposing that the California Environmental Protection Agency (Cal-EPA) adopt green building standards were vetoed. The Governor's veto message included the following: **"building standards should not be statutory. The Building Standards Commission was created to ensure an open public adoption process allowing experts to develop standards and periodic updates to the building codes."** The Governor has directed the BSC to adopt green building standards.
- ▶ The bills we tracked during the year that did not reach the Governor's desk include AB 722, AB 1096 and SB 747. These bills are still active and may pass in the second year of this two-year legislative session.

## OTHER NEWS

- ▶ The CA Energy Commission's Blueprint Issue #88 included clarification on the application of the CA Energy Standards in Part 6 of Title 24 to historical buildings. In short, there is an exception for historical buildings in light of the preemptive provisions in Title 24, Part 8, the State Historical Building Code, to protect California's architectural heritage. Thus qualified historical buildings and properties may be exempted from the energy standards. See the [Commission's website](#) for the complete article and explanation.

*Continued next column*

## OTHER NEWS

*Continued from previous column*

### Building Standards Code Changes

- ▶ The 2007 California Building Standards Code (Title 24 of the California Code of Regulations) includes many changes in addition to the base model code changes. For one, there is no Part 7. Part 7, regarding elevator construction will be vacated on January 1, 2008, the effective date for the 2007 editions. Elevator requirements are available in California Code of Regulations, Title 8, Division 1, Chapter 4, Subchapter 6, Group I, commencing with section 3000, which can be accessed through the [website](#) of the California Office of Administrative Law where California regulations (not law) are available, except Title 24.
- ▶ Other changes occur with Parts 8 and 10. Part 10 known as the California Code for Building Conservation, is relocated and renamed. It will be located in the same binder as Volume 2 of Part 2, the 2007 California Building Code. The new name of Part 10 is the "California Existing Building Code", which is based on the 2006 International Existing Building Code. The State Historical Building Code in Part 8 of Title 24, is relocated to the binder with Volume 2 of the 2007 California Building Code.