

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS**


2020 W. El Camino Avenue, Suite 250, Sacramento, CA 95833
P. O. Box 1407, Sacramento, CA 95812-0031
(916) 445-9471 / FAX (916) 263-4713
From TDD Phones: 1-800-735-2929
www.hcd.ca.gov



February 8, 2017

INFORMATION BULLETIN 2017-01 (SHL, FBH)

TO: Local Code Enforcement Agencies
Third-Party Agencies (FBH)
Interested Parties (SHL, FBH)
State Agencies and Departments

FROM:  Richard Weinert, Deputy Director
Division of Codes and Standards

SUBJECT: Emergency Building Standards for Immediate
Enforcement – Exterior Elevated Elements

The purpose of this information bulletin is to bring attention to emergency building standards regulations, effective January 30, 2017, which amend the 2016 California Building Code (CBC) and the 2016 California Existing Building Code (California Code of Regulations, Title 24, Parts 2 and 10).

During the California Building Standards Commission (CBSC) meeting on January 27, 2017, the CBSC commissioners approved emergency building standards proposed by the Department of Housing and Community Development (HCD), the Division of the State Architect-Structural Safety (DSA-SS) and CBSC. These emergency standards impact the construction of exterior elevated elements (EEEs) for residential occupancies, including factory built housing, hotels, motels, and apartment buildings; as well as state buildings and public schools. The EEE regulations include additional details on construction documents, special inspections of EEEs during construction, an increase in structural live loads for balconies and decks, sloped waterproofing surface to reduce water retention, and added ventilation to the underside of enclosed EEEs. These emergency standards also reinstate a maintenance provision allowing local jurisdictions to re-inspect buildings if deemed necessary.

The emergency building standards were developed after research was performed by an EEE subcommittee formed by CBSC and various state agencies, in response to the June 2015 Berkeley balcony failure, which resulted in loss of life and serious injury. Concurrently, the International Code Council (ICC) has proposed amendments for inclusion in the 2018 editions of the International Building Code and the International Existing Building Code which enhanced building standards for EEEs.

The CBSC commissioners concurred with the participating state agencies' findings of emergencies, which state that early adoption of the model code amendments is warranted to help prevent potential future failures of EEEs.

The complete text of each state agency's emergency building standards is included in the attachment available on the [CBSC Emergency Rulemaking webpage](#) and contained within the following state agency submittals:

- [BSC EF 01-17 \(For state buildings, CSU and UC applications\)](#)
- [HCD EF 01-17 \(For residential applications\)](#)
- [DSA-SS/CC EF 01-17 \(For K-12 public schools and community colleges\)](#)

For specific occupancies affected, refer to Chapter 1 of the 2016 California Building Code and the 2016 California Existing Building Code.

Supplement (blue) pages for these emergency regulations will be made available by the ICC to existing code subscribers and on the [CBSC website](#). Title 24 is composed of 13 parts and is published by ICC, the International Association of Plumbing and Mechanical Officials, and the National Fire Protection Association. For code subscriptions, refer to the following publisher contact information:

- **International Code Council**
Website: <http://www.iccsafe.org/contact-icc/>
Telephone: (800) 786-4452
(Publishes Parts 1, 2, 2.5, 6, 8, 9, 10, 11, and 12 of Title 24)
- **International Association of Plumbing and Mechanical Officials**
Website: <http://iapmmembership.org/>
Telephone: (909) 472-4208
Email: publications@iapmo.org
(Publishes Parts 4 and 5 of Title 24)
- **National Fire Protection Association - BNi Publication**
<http://www.bnibooks.com/>
Telephone: (888) 264-2665
(Publishes Part 3 of Title 24)

Pursuant to Government Code Section 11346.1, these emergency standards will expire after 180 days unless extended, or replaced with a final adoption of the building standards. In order for the emergency building standards to become permanent, the state agencies named herein must complete the certifying rulemaking process by engaging in the certification of compliance of the standards, including bringing the matter back before CBSC at a public meeting to consider adoption.

During this process, the public will have an opportunity to address the state agencies and CBSC with comments regarding the code language that is proposed for final adoption. The final adopted language will replace the originally adopted emergency building standards language and become permanent in the code. All related rulemaking documents and announcements from state agencies and CBSC are made available on the [CBSC website](#).

Questions concerning the emergency regulations and application to specific occupancies should be directed to as follows:

- CBSC (916) 263-0916 (For state buildings, CSU and UC applications)
- HCD (916) 445-9471 (For residential applications)
- DSA-SS /CC (916) 445-8100 (For K-12 public schools and community colleges)

(See Attachment A for complete regulatory text)

If you have any questions or concerns regarding this Information Bulletin, please contact Emily Withers, Codes and Standards Administrator II, at (916) 263-2998.

Attachment

ATTACHMENT A

Note: The following document includes changes for both the 2016 California Building Code (CBC) and 2016 California Existing Building Code (CEBC). The Express Terms in this document were approved by the California Building Standards Commission on January 27, 2017; and filed with the Secretary of State on January 30, 2017. These regulations became effective on January 30, 2017.

**EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE AMENDMENT OF THE
2016 CALIFORNIA BUILDING CODE AND
2016 CALIFORNIA EXISTING BUILDING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 2 AND 10

(HCD EF 01-17)**

The Department of Housing and Community Development (HCD) proposes these emergency regulations to be included into the 2016 editions of the California Building Code (CBC) and California Existing Building Code (CEBC) as presented on the following pages.

LEGEND FOR EXPRESS TERMS:

1. **New California amendments:** All such language is shown in Arial 9 point; *underlined and in italics*.
2. **Existing text not being modified:** All language not displayed in full is shown as “...” (i.e., ellipsis).
3. **Repealed text:** All language appears in ~~strikeout~~.
4. **Amended, adopted or repealed language after public hearing:** All language is shown in double underline or ~~double strikeout~~.
5. **Notation:** Authority and Reference citations are provided at the end of each section.

SUMMARY OF REGULATION ACTION

Adopt new 2016 California Amendments on an emergency basis into the 2016 California Building Code.

Adopt new 2016 California Amendments and re-establish a previous 2013 CBC provision on an emergency basis into the 2016 California Existing Building Code.

1. HCD proposes to amend the 2016 CBC, Chapter 1, as follows:

**CHAPTER 1
SCOPE AND ADMINISTRATION**

**SECTION 107
SUBMITTAL DOCUMENTS**

107.2.7 Exterior balcony and elevated walking surfaces. [HCD 1, HCD 2] Where balcony 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.

**SECTION 110
INSPECTIONS**

110.3.8.1 Weather exposed balcony and walking surface waterproofing. [HCD 1, HCD 2] Where balcony 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.

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17921, 17921.5, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1, and Water Code Section 14877.3, 13552.2, 13552.4, 13553.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

2. HCD proposes to amend the 2016 CBC, Chapter 16, as follows:

**CHAPTER 16
STRUCTURAL DESIGN**

**SECTION 1607
LIVE LOADS**

**TABLE 1607.1
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, *L_o*,
AND MINIMUM CONCENTRATED LIVE LOADS⁹**

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (lbs.)
1. Apartments (see residential)
.....
5. Balconies and decks ⁿ	<u>Same as occupancy served [HCD 1, HCD 2] 1.5 times the live load for the area served. Not required to exceed 100 psf.</u>	--
....

No changes to footnotes.

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17921, 17921.5, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1, and Water Code Section 14877.3, 13552.2, 13552.4, 13553.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

3. HCD proposes to amend the 2016 CBC, Chapter 23, as follows:

**SECTION 2304
GENERAL CONSTRUCTION REQUIREMENTS**

2304.12.2.5 Supporting members for permeable floors and roofs. [HCD 1, HCD 2] 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. The impervious moisture barrier system protecting the structure supporting floors shall provide positive drainage of water that infiltrates the moisture-permeable floor topping.

Exception: (No change to text)

2304.12.2.6 Ventilation required beneath balcony or elevated walking surfaces. [HCD 1, HCD 2] 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.

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17921, 17921.5, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1, and Water Code Section 14877.3, 13552.2, 13552.4, 13553.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

4. HCD proposes to amend the 2016 CEBC, Chapter 1, as follows:

**CHAPTER 1
SCOPE AND ADMINISTRATION**

**SECTION 101
GENERAL**

101.8 Maintenance. [HCD 1, HCD 2] 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 reinspected. 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.

**SECTION 106
CONSTRUCTION DOCUMENTS**

106.2.6 Exterior balconies and elevated walking surfaces. [HCD 1, HCD 2] *Where the scope of work involves a balcony 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.*

**SECTION 109
INSPECTIONS**

109.3.7.1 Weather exposed balcony and walking surface waterproofing.[HCD 1, HCD 2] *Where the scope of the work involves a balcony 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 of the California Building Code.*

Note: Residential buildings...(No change to Note.)

NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17921, 17921.5, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11 and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.
