



SUBJECT

Application of Enforceable Codes

PIN: 54

Effective: 1/2/2013



PURPOSE

This Policy Intent Notice (PIN) establishes a policy that clarifies the application and enforcement of California Code of Regulations (CCR), Title 24, including revisions to the code, for projects submitted to the Office of Statewide Health Planning and Development (OSHPD) to ensure consistent application and enforcement.

BACKGROUND

The OSHPD is authorized to enforce CCR, Title 24, also referred to as California Building Standards Code (CBSC), for hospital and skilled nursing construction projects. The Office provides plan review and construction observation of the design and specifications for the architectural, structural, mechanical, plumbing, electrical and fire and life safety components of these health facilities. Projects submitted to OSHPD for review must be compliant with the requirements of all parts of Title 24 that are effective at the time the application for the new project is submitted. OSHPD enforces the requirements of that edition of Title 24 through to project completion.

This PIN establishes a policy regarding code application to ensure that Title 24 and its code revisions are enforced consistently throughout the duration of the project.

POLICY

OSHPD shall use the edition of Title 24, including supplements that are in effect at the time the *Application for New Project* is submitted and accepted as complete for processing, pursuant to Title 24, Part 1, Section 7-113. Without exception, the edition of Title 24 that is applied at project submittal will be enforced throughout the duration of the project from plan review through construction completion. Selective application of any subsequent code revisions contained in the Title 24 supplements or in subsequent editions of the code will not be granted.

The effective date of an edition of Title 24, CBSC, is determined in statute as described below.

- **CBSC Triennial Edition**

By law, Title 24 is adopted by the California Building Standards Commission during the Commission's Triennial Code Adoption Cycle and published in its entirety every three years. It contains the most recent model codes with the incorporation of California

amendments promulgated by OSHPD and other authorized state agencies. Title 24 consists of 12 parts and OSHPD enforces the requirements of the following seven parts: Part 1, California Administrative Code; Part 2, California Building Code; Part 3, California Electrical Code; Part 4, California Mechanical Code; Part 5, California Plumbing Code, Part 9, California Fire Code and Part 11, California Green Building Standards Code.

The triennial edition of the CBSC becomes effective 180 days after the publication date unless otherwise stipulated. The effective date is indicated on the front page of the code book for each part of Title 24 and is also printed in the "History Note Appendix" in the back of the code book. Code users may also refer to OSHPD's Code Application Notice (CAN) 1-0 "Enforceable Codes" which provides the effective date of each part of the triennial edition of Title 24. The Office updates this CAN when Title 24 is adopted or revised.

Project applications and plans submitted to OSHPD on or after the effective date of the triennial edition of the code will be reviewed under that new code. An exception, however, may be made for projects submitted prior to the effective date of a triennial code. The applicant may request that the project be reviewed by OSHPD under the newly adopted triennial code. The request must be in writing and must be submitted with the project application. If the request is granted, all parts of that edition of Title 24, *California Building Standards Code* will be applied to the project. The project will be reviewed under all applicable codes as if it had been submitted on or after the effective date of that edition.

- **CBSC Supplements**

Amendments, adoptions and repeals to the triennial edition of the CBSC are adopted in a subsequent code adoption cycle that is offset 18 months from the triennial cycle. These code changes are published in supplements and include symbols such as bars, carets and arrows in the margins to distinguish the revisions to the triennial code. Reviewers shall update the Title 24 code books as the supplements are received and retain the previous language to ensure the correct codes will be applied and enforced relative to the date the *Application for New Project* was received by the Office.

The regulations contained in these supplements are effective 180 days after their publication date unless otherwise stipulated. The effective date is published on each page of the supplement and in the "History Note Appendix" of the code supplement.

Projects shall be reviewed under the edition of Title 24 and all the supplements that are in effect at the time the project application is received by OSHPD. At no time will selective application of code revisions contained in the supplements be applied to a project. If the supplement is applied to the project, all the revisions contained in the supplement edition will be applied. Project plans will not be reviewed under supplements prior to their effective date, unless a specific request is granted by the Office. The request must be in writing and must be submitted with the project application. Reference to the supplement edition must be included on construction documents. The project will then be reviewed under all applicable parts of the CBSC and all code supplements that become effective on that date.

- **CBSC Emergency Supplements**

Emergency regulations are adopted either when the law requires it or when circumstances or events occur that justify emergency adoption for the immediate preservation of public peace, health and safety or general welfare. When the California Building Standards Commission approves and adopts building standards on an emergency basis these regulations are effective on the date the Commission files them with the Secretary of State’s office. However, there have been exceptions to this when specific statute or extraordinary circumstances required that the effective date of the emergency regulations is not the filing date.

Emergency regulations shall apply to all projects submitted on or after the effective date of those regulations. The effective date of the emergency regulation is printed on each page of the supplement and is identified in the “History Note Appendix”. Emergency supplements with an effective date subsequent to the project submission date will not be applied retroactively to a project unless specifically stated otherwise in the emergency supplement.

- **CBSC Errata**

Errata are published whenever necessary and contain non-substantive editorial changes or corrections to the Title 24 publication. Errata supplements are also indicated with the same marginal symbols used in the 18-month supplements. Errata are effective as soon as they are published.

<u>Original signed</u>	1/2/13
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