### Plan Review Committee Results for October 2005

#### Subject: ADA Complaint Process

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
<th>% Yes</th>
<th>% NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Does your jurisdiction enforce ADA (i.e. complaints on existing buildings where no work requiring a permit is done)?</td>
<td>12</td>
<td>40</td>
<td>23%</td>
<td>76%</td>
</tr>
<tr>
<td>2. Does your jurisdiction have a complaint process for such complaints?</td>
<td>19</td>
<td>31</td>
<td>38%</td>
<td>62%</td>
</tr>
</tbody>
</table>

#### Subject: Master Plans and the New 2005 Energy Standards

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
<th>% Yes</th>
<th>% NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Is your jurisdiction requiring developers to specifically identify on the plans changes to the California Energy Standards (i.e. dimmer locations, fluorescents locations, photo-sensor locations, motion sensor locations, etc.) on the electrical plan?</td>
<td>32</td>
<td>19</td>
<td>62%</td>
<td>38%</td>
</tr>
<tr>
<td>4. Is your jurisdiction allowing a general note on the electrical plans indicating compliance with the new standards in lieu of full plan detailing?</td>
<td>23</td>
<td>28</td>
<td>45%</td>
<td>54%</td>
</tr>
<tr>
<td>5. Is your jurisdiction requiring wattage calcs for the kitchen area?</td>
<td>20</td>
<td>29</td>
<td>40%</td>
<td>59%</td>
</tr>
</tbody>
</table>

#### Scenario: A Master bedroom containing a master bath, a 100 sq. ft walk-in closet and a retreat area/room adjacent to the bedroom area. The master bath and closet area can only be entered from the master bedroom area. (See attached diagram)

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
<th>% Yes</th>
<th>% NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Does your jurisdiction consider the master bath as part of the master bedroom in determining AFCI protection?</td>
<td>7</td>
<td>44</td>
<td>15%</td>
<td>87%</td>
</tr>
<tr>
<td>7. Does your jurisdiction require that the master bath area to be wired separately from the bedroom?</td>
<td>43</td>
<td>8</td>
<td>85%</td>
<td>16%</td>
</tr>
<tr>
<td>8. Would the retreat area/room require AFCI protection?</td>
<td>51</td>
<td>0</td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>9. Would the closet area require AFCI protection?</td>
<td>16</td>
<td>36</td>
<td>31%</td>
<td>70%</td>
</tr>
</tbody>
</table>

| Total Responses | 53 |

#### Question #1 Comments

1. You are doing an awesome job with this committee and this format.

2. No, unless the complaints are items that are missed or not in compliance during the time it was constructed or remodeled.
3. With regard to the ADA questions: if you are referring to ACCESSIBILITY then the answers stand.

4. We only enforce Calif. accessibility standards. We do not enforce federal ADA standards. We do not have a program for upgrading existing structures that are not listed as in violation, or do not have active activities/permits. All buildings undergoing a change, remodel, repair, upgrade, etc, are reviewed for compliance to the CA. accessibility standards.

5. Enforcing the ADA is complaint generated and triggered when remodeling. Section 4452 of the California Government Code considers a violation of the ADA a violation of California Civil Rights Act.

6. ADA is a civil rights issue. We enforce the California Title 24 requirements.

7. Technically, we do not enforce ADA, only T-24, which is not retroactive.

8. We have no requirement or authority to regulate or enforce ADA other than under Title II for public buildings. An ADA complaint regarding an existing store is a civil issue; an ADA complaint regarding one of our County buildings is our responsibility to resolve.

9. We respond to CBC complaints, but not ADA (Federal)

10. We will advise those with complaints and permit applicants regarding ADA issues but we do not have legal authority to enforce the ADA.

11. Per state law, enforcement of the ADA is not within the realm of the local building department. Opinion: California should enforce the ADA and repeal any Title 24 verbiage contrary to the ADA.

12. We enforce State T-24 not ADA. If we get a complaint and determine the building to be in compliance with T-24 but not ADA we will forward the complaint to the building owner.

13. Yes if a complaint is forwarded from the Justice Dept. Otherwise T24 applies to disabled access.

Question #2 Comments

14. With regard to the ADA questions: if you are referring to ACCESSIBILITY then the answers stand.

15. Enforcing the ADA is complaint generated and triggered when remodeling. Section 4452 of the California Government Code considers a violation of the ADA a violation of California Civil Rights Act.

16. ADA is a civil rights issue. We enforce the California Title 24 requirements.

17. We have no requirement or authority to regulate or enforce ADA other than under Title II for public buildings. An ADA complaint regarding an existing store is a civil issue; an ADA complaint regarding one of our County buildings is our responsibility to resolve.

18. We respond to CBC complaints, but not ADA (Federal)
Question #3 Comments


20. Do you have a generic handout to give customers on the New 2005 Energy Standards? If so, we are in need of some ideas. Thanks.

21. All submittals since Oct 1 must provide adequate calcs and detailing to show compliance with the new standard before the permit is approved to issue.

22. We want the new energy requirements delineated on the plans to make the job of the field inspector easier.

23. As of this time we have not had any Master Plans that would fall into the new Energy Code. #3 & #5 may change to yes.

24. #3,4,5 we are still working out the specifics of these areas.

Question #4 Comments

25. All submittals since Oct 1 must provide adequate calcs and detailing to show compliance with the new standard before the permit is approved to issue.

26. Note on plan OK for residential only.

27. As of this time we have not had any Master Plans that would fall into the new Energy Code. #3 & #5 may change to yes.

28. #3,4,5 we are still working out the specifics of these areas.

Question #5 Comments

29. Yes, unless they are all high efficacy lights or if it is very obvious that the wattage of high efficacy lighting is more than 50% than the low efficacy lighting.

30. We expect this to be a particularly problematic area.

31. All submittals since Oct 1 must provide adequate calcs and detailing to show compliance with the new standard before the permit is approved to issue.

32. I have been sending my plans out for review with Wildan, I am not sure if they are requiring wattage calc's on the kitchen. I have not had any new plan review since the October standards went into effect.

33. If all high effic. lighting then calcs not required.

34. #3,4,5 we are still working out the specifics of these areas.
Question #6 Comments

35. See Article 210.12(B), 2004 CEC

36. We do not consider the bath as requiring AFCI unless it is supplied by the same branch circuit serving the bedroom. We do not require separate wiring. We do require each room to meet the specific wiring requirements that apply. As long as they comply, how they do it is their business. The retreat area is not a separate room, but only a separate "area" within the same room. I usually borrow from CBC Sec 1203.1 for guidelines in determining when two areas should be considered part of the same room. It requires AFCI protection. The closet is clearly a separate room.

Question #7 Comments

37. See Article 210.11(C)(1), 2004 CEC

38. I don't understand this question. Bathroom must be per CEC 210.11(C)(3).

39. We do not consider the bath as requiring AFCI unless it is supplied by the same branch circuit serving the bedroom. We do not require separate wiring. We do require each room to meet the specific wiring requirements that apply. As long as they comply, how they do it is their business. The retreat area is not a separate room, but only a separate "area" within the same room. I usually borrow from CBC Sec 1203.1 for guidelines in determining when two areas should be considered part of the same room. It requires AFCI protection. The closet is clearly a separate room.

Question #8 Comments

40. See Article 210.12(B), 2004 CEC

41. We do not consider the bath as requiring AFCI unless it is supplied by the same branch circuit serving the bedroom. We do not require separate wiring. We do require each room to meet the specific wiring requirements that apply. As long as they comply, how they do it is their business. The retreat area is not a separate room, but only a separate "area" within the same room. I usually borrow from CBC Sec 1203.1 for guidelines in determining when two areas should be considered part of the same room. It requires AFCI protection. The closet is clearly a separate room.

42. We will allow the master bedroom and bath to share circuits with lighting but not plug receptacles. There is not a physical separation (wall) between the bedroom and retreat. It's all the same room. The "retreat" portion can be used for sleeping purposes.

43. Most "closets" don't have plug receptacles. Objects stored in this closet could interfere with corded appliances that are plugged in.

Question #9 Comments

44. See Article 210.12(B), 2004 CEC

45. If the closet is on the same circuit it would be arc fault protected. According to the 2004 code lights to be arc fault protected; however, this leaves the entire room dark when failure occurs, which happens often.
46. We do not consider the bath as requiring AFCI unless it is supplied by the same branch circuit serving the bedroom. We do not require separate wiring. We do require each room to meet the specific wiring requirements that apply. As long as they comply, how they do it is their business. The retreat area is not a separate room, but only a separate "area" within the same room. I usually borrow from CBC Sec 1203.1 for guidelines in determining when two areas should be considered part of the same room. It requires AFCI protection. The closet is clearly a separate room.

47. Never thought of the closet being part of the bedroom. We might change our position on that one.

48. We will allow the master bedroom and bath to share circuits with lighting but not plug receptacles. There is not a physical separation (wall) between the bedroom and retreat. It's all the same room. The "retreat" portion can be used for sleeping purposes.

49. Most "closets" don't have plug receptacles. Objects stored in this closet could interfere with corded appliances that are plugged in.

50. #9 if the closet is accessed through the bedroom or retreat then this would be "yes" otherwise I may consider this a separate area not subject to these code provisions.

PRC Supported Response Question #1

Yes

The PRC recommends that jurisdictions have a written complaint process for documenting all issues specifically associated with accessibility. Building Officials are not required to enforce ADA or ABA. However, it is prudent to have a procedure in place so that the jurisdiction can document, for certainty, that there are no violations of Title 24, which is enforceable at the local level. Additionally, we recommend stamping all plans that must comply with ADA with similar wording to “These plans were not reviewed for compliance to ADA. Compliance with ADA is the responsibility of the building designer and building owner”. If you discover a violation of ADA a copy of your investigation should be forwarded to the building owner and possibly the City/County Attorney. As with any policy, the PRC recommends a review by your City/County Attorney.

PRC Supported Response Question #2

Yes

The PRC recommends that all jurisdictions have some form of a complaint process in place regarding accessibility.
**PRC Supported Response Question #3**

Yes

The PRC recommends that master plan electrical sheets should reflect the new 2005 California Energy Standards which would include fixture types and locations, switches types and locations etc., Please see attached example for further clarification.

**PRC Supported Response Question #4**

No

The PRC does not recommend that a general note on the electrical sheets be accepted. The PRC recognizes the various options and marketing features that are present in the production housing environment, however specific detailing on the electrical sheets is needed to adequately show compliance with the new Energy Standards as noted in question #3 above.

**PRC Supported Response Question #5**

Yes

The PRC recommends that wattage calculations be required when master plans will be mixing fluorescent and incandescent lighting in the kitchen area. If however the master plans indicated that all fixtures will be fluorescent, then wattage calculations would not be required as compliance with 2005 CEC section 150(k)2 & 150(k)3 will have been complied with.

**PRC Supported Response Question #6**

No

The PRC does not feel that the bathroom is considered as part of the bedroom in determining AFCI protection. Typical field wiring methods necessitate the bathroom being wired separately from the bathroom to comply with the GFCI requirements of CEC Article 210-8. If however the bathroom was wired on the bedroom circuit, then the AFCI protection would naturally be included in the bathroom as well.

**PRC Supported Response Question #7**

Yes

The PRC recommends that the bathrooms be wired separately from the bedroom although not necessarily required by the code. Article 210.12 of the California Electrical Code does not specifically require AFCI protection in bathrooms. Typical field wiring methods necessitate the bathroom being wired separately from the bedroom due to the GFCI protection in the bathroom as required by CEC section 210-8 and the 20 amp small appliance branch circuit as required by CEC article 210.11(C)3. If, however, the contractor chooses to apply these same minimums to the bedroom as required for the bathroom (and vice-versa for AFCI) then they could theoretically wire the bathroom and bedroom together.
PRC Supported Response Question #8

Yes

The response to this question was overwhelming yes and the PRC agrees with this position.

PRC Supported Response Question #9

No

The PRC does not feel that the closet is considered as part of the bedroom in determining AFCI protection. Article 210.12 of the California Electrical Code does not specifically require AFCI protection in closets. If however the closet was wired on the bedroom circuit, then the AFCI protection would naturally be included in the closet as well.

Thank You,

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